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House of Representatives

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005—Continued

The CHAIRMAN. Pursuant to House Resolution 686, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, President Bush told the Nation, "You can't distinguish between al Qaeda and Saddam." That assertion was one of the key justifications for the war in Iraq.

At the appropriate point in the debate, I shall enter into the RECORD 16 similar assertions by leading members of the administration and several other relevant documents.

Those assertions have, like the White House's other claim that Saddam Hussein had vast stockpiles of weapons of mass destruction, not found substantiation in fact. I quote 27 top-level U.S. diplomats and military commanders who have said, "The administration . . . justified the invasion of Iraq . . . by a cynical campaign to persuade the public that Saddam Hussein was linked to al Qaeda . . . The evidence did not support this argument."

One week ago, the 9–11 Commission published staff statement number 15 entitled "Overview of the Enemy," which found no credible evidence of a collaborative relationship between Saddam Hussein and al Qaeda. The staff statement was the product of professional people, all of whom were jointly appointed by both the Republican chairman and the Democratic vice chair of the Commission. Included among these staff people are former analysts with the intelligence agencies, investigators and academics.

Instead of accepting the finding of this Commission, which Congress and the President established in order to find the definitive answer to this and

other questions, the Vice President went on national television to question the credibility of the Commission. He repeated the assertion that the administration has made so many times, and he said he "probably" has more information than the Commission about ties between al Qaeda and Saddam Hussein.

Does the administration have more information than the Commission, or does it not? Is the White House informing the public of substantiated facts, or is the White House engaged in what could be called a cynical campaign to disinform the American public?

As the St. Petersburg Times editorial of yesterday stated, "We don't know what information the Vice President is referring to, but we do know this: Every important public charge that the White House and its supporters did make against Iraq in the months leading up to war, such as the purchase of nuclear weapons materials from Africa, meetings between al Qaeda and Iraqi operatives in Prague, and mobile biological weapons labs in the Iraqi desert, have been discredited . . . The bipartisan Commission's credibility isn't in question. The administration's is. That is the most important reason for the Vice President to come forward and produce the evidence he alluded to." That is the question the Kucinich-Tauscher amendment seeks to answer.

SUBMISSION BY DENNIS J. KUCINICH IN SUPPORT OF THE KUCINICH/TAUSCHER AMENDMENT TO H.R. 4548, JUNE 23, 2004

The Kucinich/Tauscher amendment has been endorsed by:

Admiral Stansfield Turner, former DCI 1977–1981;

Greg Thielmann, former State Department Intelligence official;

Coleen Rowley, in her personal capacity, former FBI official;

Ray McGovern, former CIA analyst;

Gene Betit, former Army Intelligence official;

Ray Close, former CIA chief of station, Saudi Arabia;

David MacMichael, former National Intelligence Council analyst;

Mel Goodman, professor at National War College;

Col. Patrick Lang, retired U.S. Army Special Forces; Defense Intelligence Officer for the Middle East, at DIA;

Larry Johnson, former CIA and State Department intelligence analyst;

Veteran Intelligence Professionals for Sanity (VIPs), Steering Committee; Center for American Progress.

These are just 16 of the many assertions by members of the Administration about the existence of a collaborative, operational relationship between Saddam Hussein and al Qaeda.

"You can't distinguish between al-Qaeda and Saddam." President George Bush, White House website (9/26/2002).

"He's a threat because he is dealing with al Qaida." President George Bush, President Outlines Priorities, White House (11/7/2002).

"Saddam Hussein aids and protects terrorists, including members of al Qaeda. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help develop their own. . . . Imagine those 19 hijackers with other weapons and other planes—this time armed by Saddam Hussein. It would take one vial, one canister, one crate slipped into this country to bring a day of horror like none we have ever known." President George Bush, President Delivers "State of the Union", White House (1/28/2003).

"Saddam Hussein has longstanding, direct and continuing ties to terrorist networks. . . . Iraq has also provided al Qaeda with chemical and biological weapons training," President George Bush, President's Radio Address, White House (2/8/2003).

"We've removed an ally of al Qaeda, and cut off a source of terrorist funding," President George Bush, President Bush Announces Major Combat Operations in Iraq Have Ended, White House (5/1/2003).

"[Iraq] had the capacity to make a weapon and then let that weapon fall into the hands of a shadowy terrorist network." President George Bush, Meet the Press (2/8/2004).

"His regime has had high-level contacts with al Qaeda going back a decade and has provided training to al Qaeda terrorists." Vice President Richard Cheney, Remarks by the Vice President at the Air National Guard Senior Leadership Conference, White House (12/2/2002).

"He could decide secretly to provide weapons of mass destruction to terrorists for use

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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against us." Vice President Richard Cheney, Vice President's Remarks at 30th Political Action Conference, White House (1/30/2003).

"We know that he has a long-standing relationship with various terrorist groups, including the al-Qaeda organization." Vice President Richard Cheney, Meet the Press, NBC (3/16/2003).

"... in Iraq we've had a government—not only was it one of the worst dictatorships in modern times, but had oftentimes hosted terrorists in the past . . . but also an established relationship with the al Qaeda organization . . ." Vice President Richard Cheney, Vice president Dick Cheney Remarks at Luncheon for Congressman Jim Gerlach, White House (10/3/2003).

"We'll find ample evidence confirming the link . . . between al Qaida and the Iraqi intelligence services. They have worked together on a number of occasions." Vice President Richard Cheney, Transcript of interview with Vice President Dick Cheney, Rocky Mountain News (1/9/2004).

"I think there's overwhelming evidence that there was a connection between al-Qaeda and the Iraqi government." Vice President Richard Cheney, Morning Edition, NPR (1/22/2004).

"It is the nexus between an Al-Qaeda type network and other terrorist network and a terrorist state like Saddam Hussein who has that weapons of mass destruction. As we sit here, there are senior Al-Qaeda in Iraq. They are there." Secretary of Defense Donald Rumsfeld, Secretary Rumsfeld Interview with Jim Lehrer, PBS (9/18/2002).

"We have what we consider to be very reliable reporting of senior-level contacts going back a decade, and of possible chemical- and biological-agent training. And when I say contacts, I mean between Iraq and al Qaeda." Secretary of Defense Donald Rumsfeld, Defense Department Regular Briefing, Defense Department (9/26/2002).

"They have occurred over a span of some eight or ten years to our knowledge. There are currently al-Qaeda in Iraq." Secretary of Defense Donald Rumsfeld, Secretary Rumsfeld Live Interview with Infinity CBS Radio, Infinity-CBS Radio (11/14/2002).

"The regime plays host to terrorists, including Al Qaida, as the president indicated." Secretary of Defense Donald Rumsfeld; Donald Rumsfeld and Richard Myers Hold Regular Defense Department Briefing, Defense Department (1/29/2003).

DIPLOMATS & MILITARY COMMANDERS FOR CHANGE

THE OFFICIAL STATEMENT

The undersigned have held positions of responsibility for the planning and execution of American foreign and defense policy. Collectively, we have served every president since Harry S Truman. Some of us are Democrats, some are Republicans or Independents, many voted for George W. Bush. But we all believe that current Administration policies have failed in the primary responsibilities of preserving national security and providing world leadership. Serious issues are at stake. We need a change.

From the outset, President George W. Bush adopted an overbearing approach to America's role in the world, relying upon military might and righteousness, insensitive to the concerns of traditional friends and allies, and disdainful of the United Nations. Instead of building upon America's great economic and moral strength to lead other nations in a coordinated campaign to address the causes of terrorism and to stifle its resources, the Administration, motivated more by ideology than by reasoned analysis, struck out on its own. It led the United States into an ill-planned and costly war

from which exit is uncertain. It justified the invasion of Iraq by manipulation of uncertain intelligence about weapons of mass destruction, and by a cynical campaign to persuade the public that Saddam Hussein was linked to Al Qaeda and the attacks of September 11. The evidence did not support this argument.

Our security has been weakened. While American airmen and women, marines, soldiers and sailors have performed gallantly, our armed forces were not prepared for military occupation and nation building. Public opinion polls throughout the world report hostility toward us. Muslim youth are turning to anti-American terrorism. Never in the two and a quarter centuries of our history has the United States been so isolated among the nations, so broadly feared and distrusted. No loyal American would question our ultimate right to act alone in our national interest; but responsible leadership would not turn to unilateral military action before diplomacy had been thoroughly explored.

The United States suffers from close identification with autocratic regimes in the Muslim world, and from the perception of unquestioning support for the policies and actions of the present Israeli Government. To enhance credibility with Islamic peoples we must pursue courageous, energetic and balanced efforts to establish peace between Israelis and Palestinians, and policies that encourage responsible democratic reforms.

We face profound challenges in the 21st Century: proliferation of weapons of mass destruction, unequal distribution of wealth and the fruits of globalization, terrorism, environmental degradation, population growth in the developing world, HIV/AIDS, ethnic and religious confrontations. Such problems can not be resolved by military force, nor by the sole remaining superpower alone; they demand patient, coordinated global effort under the leadership of the United States.

The Bush Administration has shown that it does not grasp these circumstances of the new era, and is not able to rise to the responsibilities of world leadership in either style or substance. It is time for a change.

SIGNATORIES

The Honorable Avis T. Bohlen: Assistant Secretary of State for Arms Control, 1999; Ambassador to Bulgaria, 1996 (District of Columbia).

Admiral William J. Crowe, USN, Ret.: Chairman, President's Foreign Intelligence Advisory Committee; 1993; Ambassador to the Court of Saint James, 1993; Chairman, Joint Chiefs of Staff, 1985; Commander in Chief, United States Pacific Command (Oklahoma).

The Honorable Jeffrey S. Davidow; Ambassador to Mexico, 1998; Assistant Secretary of State for Inter-American Affairs, 1996; Ambassador to Venezuela, 1993; Ambassador to Zambia, 1988 (Virginia).

The Honorable William A. DePree; Ambassador to Bangladesh, 1987; Director of State Department Management Operations, 1983; Ambassador to Mozambique, 1976 (Michigan).

The Honorable Donald B. Easum; Ambassador to Nigeria, 1975; Assistant Secretary of State for African Affairs, 1974; Ambassador to Upper Volta, 1971 (Virginia).

The Honorable Charles W. Freeman, Jr.; Assistant Secretary of Defense, International Security Affairs, 1993; Ambassador to the Kingdom of Saudi Arabia, 1989 (Rhode Island).

The Honorable William C. Harrop; Ambassador to Israel, 1991; Ambassador to Zaire, 1987; Inspector General of the State Department and Foreign Service, 1983; Ambassador to Kenya and Seychelles, 1980; Ambassador to Guinea, 1975 (New Jersey).

The Honorable Arthur A. Hartman; Ambassador to the Soviet Union, 1981; Ambassador to France, 1977; Assistant Secretary of State for European Affairs, 1973 (New Jersey).

General Joseph P. Hoar, USMC, Ret.: Commander in Chief, United States Central Command, 1991; Deputy Chief of Staff, Marine Corps, 1990; Commanding General, Marine Corps Recruit Depot, Parris Island, 1987 (Massachusetts).

The Honorable H. Allen Holmes: Assistant Secretary of Defense for Special Operations, 1993; Ambassador at Large for Burdensharing, 1989; Assistant Secretary of State for Politico-Military Affairs, 1986; Ambassador to Portugal, 1982 (Kansas).

The Honorable Robert V. Keely: Ambassador to Greece, 1985; Ambassador to Zimbabwe, 1980; Ambassador to Mauritius, 1976 (Florida).

The Honorable Samuel W. Lewis: Director of State Department Policy and Planning, 1993; Ambassador to Israel, 1977; Assistant Secretary of State for International Organization Affairs, 1975 (Texas).

The Honorable Princeton N. Lyman: Assistant Secretary of State for International Organization Affairs, 1997; Ambassador to South Africa, 1992; Director, Bureau of Refugee Programs, 1989; Ambassador to Nigeria, 1986 (Maryland).

The Honorable Jack F. Matlock, Jr.: Ambassador to the Soviet Union, 1987; Director for European and Soviet Affairs, National Security Council, 1983; Ambassador to Czechoslovakia, 1981 (Florida).

The Honorable Donald F. McHenry: Ambassador and U.S. Permanent Representative to the United Nations, 1979 (Illinois).

General Merrill A. (Tony) McPeak, USAF, Ret.: Chief of Staff, United States Air Force, 1990; Commander in Chief, Pacific Air Forces, 1988; Commander, 12th Air Force and U.S. Southern Command Air Forces, 1987 (Oregon).

The Honorable George E. Moose: Representative, United Nations European Office, 1997; Assistant Secretary of State for African Affairs, 1993; Ambassador to Senegal, 1988; Director, State Department Bureau of Management Operations, 1987; Ambassador to Benin, 1983 (Colorado).

The Honorable David D. Newsom: Secretary of State ad interim, 1981; Under Secretary of State for Political Affairs, 1978; Ambassador to the Philippines, 1977; Ambassador to Indonesia, 1973; Assistant Secretary of State for African Affairs, 1969; Ambassador to Libya, 1965 (California).

The Honorable Phyllis E. Oakley: Assistant Secretary of State for Intelligence and Research, 1997; Assistant Secretary of State for Population, Refugees, and Migration, 1994 (Nebraska).

The Honorable Robert Oakley: Special Envoy for Somalia, 1992; Ambassador to Pakistan, 1988; Ambassador to Somalia, 1982; Ambassador to Zaire, 1979 (Louisiana).

The Honorable James D. Phillips: Diplomat-in-Residence, the Carter Center of Emory University, 1994; Ambassador to the Republic of Congo, 1990; Ambassador to Burundi, 1986 (Kansas).

The Honorable John E. Reinhardt: Director of the United States Information Agency, 1977; Assistant Secretary of State for Public Affairs, 1975; Ambassador to Nigeria, 1971 (Maryland).

General William Y. Smith, USAF, Ret.: Chief of Staff for Supreme Headquarters Allied Powers Europe, 1979; Assistant to the Chairman, Organization of the Joint Chiefs of Staff, 1975; Director of National Security Affairs, Office of the Assistant Secretary of Defense for International Security Affairs, 1974 (Arkansas).

The Honorable Ronald I. Spiers: Under Secretary General of the United Nations for Political Affairs, 1989; Under Secretary of State

for Management, 1983; Ambassador to Pakistan, 1981; Director, State Department Bureau of Intelligence and Research, 1980; Ambassador to Turkey, 1977; Ambassador to The Bahamas, 1973; Director, State Department Bureau of Politico-Military Affairs, 1969 (Vermont).

The Honorable Michael E. Sterner: Ambassador to the United Arab Emirates, 1974 (New York).

Admiral Stansfield Turner, USN, Ret.: Director of the Central Intelligence Agency, 1977; Commander in Chief, Allied Forces Southern Europe (NATO), 1975; Commander, U.S. Second Fleet, 1974 (Illinois).

The Honorable Alexander F. Watson: Assistant Secretary of State for Inter-American Affairs, 1993; Ambassador to Brazil, 1992; Deputy Permanent Representative to the United Nations, 1989; Ambassador to Peru, 1986 (Maryland).

[From the St. Petersburg Times, June 22, 2004]

WHERE'S THE PROOF?

If Vice President Cheney has secret evidence of a link between Saddam Hussein and al-Qaida, he has an obligation to share it with the 9/11 commission.

President Bush and Vice President Cheney vehemently dispute the 9/11 commission's conclusion that no "collaborative" relationship existed between al-Qaida and Saddam Hussein's regime, and the vice president says he "probably" has seen incriminating evidence that the commission has not reviewed. If so, the Bush administration has an obligation to share that evidence with the commission immediately. Members of the commission, who were appointed by the president, are cleared to see the most sensitive classified information, and the administration agreed more than a year ago to provide all documents the commission needs to complete its investigation into the worst terrorist attacks in our nation's history. Evidence of a more substantial link between al-Qaida and Hussein wouldn't just bolster the administration's case for having gone to war in Iraq; it also could help to complete the picture of al-Qaida's planning and support prior to 9/11.

The White House also has an obligation to share any such information with the American people and the world community. We live in a representative democracy, not an autocracy, and our government cannot successfully wage war for reasons that are not understood and supported by the public. We also are dependent on the cooperation of other governments around the world in the war against terrorism, and that support depends on our credibility.

We don't know what information the vice president is referring to, but we do know this: Every important public charge that the White House and its supporters did make against Iraq in the months leading up to war—such as the purchase of nuclear weapons from Africa, meetings between al-Qaida and Iraqi operatives in Prague and mobile biological weapons labs in the Iraqi desert—has been discredited.

No substantive evidence on the record supports the administration's claim that Iraq presented an immediate threat to U.S. security. Members of the 9/11 commission are understandably reluctant to engage in a semantic argument with the White House over the meaning of a "collaborative" relationship, but Thomas Kean, the Republican chairman of the commission, notes that al-Qaida had more substantial links to the governments of Iran and Pakistan prior to 9/11 than it had to Iraq.

The 9/11 commission's reports have been meticulous, straightforward and persuasive.

They have dealt with Iraq only to the extent that allegations about Hussein's possible role in aiding al-Qaida prior to the attacks had to be investigated and put to rest. The bipartisan commission's credibility isn't in question. The administration's is. That's the most important reason for the vice president to come forward and produce the evidence he alluded to.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Who seeks to control time in opposition to the amendment?

Mr. GOSS. Mr. Chairman, I rise to control the time. I am not in opposition to the amendment, but I do have some remarks.

The CHAIRMAN. Without objection, the gentleman from Florida (Mr. GOSS) will control the time.

There was no objection.

Mr. GOSS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Chairman, I rise in support of this amendment, which calls for the CIA's Inspector General to submit a report to Congress detailing evidence of any relationship between Saddam Hussein's regime and al Qaeda prior to September 11, 2001. This report will help augment an already public record of such a relationship.

On November 4, 1998, the U.S. Federal Grand Jury issued an indictment against Osama bin Laden alleging that he and others engaged in a long-term conspiracy to attack U.S. facilities overseas. The same indictment states that "al Qaeda reached an agreement with the government of Iraq and that on particular projects, specifically including weapons development, al Qaeda would work cooperatively with the government of Iraq."

I would like to enter at the appropriate time the 1999 indictment into the RECORD.

An Iraq defector to Turkey told the London Sunday Times that he saw bin Laden's fighters in camps in Iraq in 1997. And I would also like to enter at the appropriate time the July 14, 2002, London Sunday Times article on this issue into the RECORD.

In October, 2000, an Iraqi intelligence operative was arrested along the Afghan border by Pakistani authorities, according to "Jane's Foreign Report." This respected international newsletter reported that the operative was shuttling between Iraq intelligence and al Qaeda's number two man and that throughout 2003, in the portion of northern Iraq loyal to Saddam Hussein, an Ansar al-Islam official admitted to Kurdish newspapers that when Ansar al-Islam was established in 2001, al Qaeda operatives offered a gift of \$300,000 to assist the group in conducting suicide operations against Americans.

An al Qaeda leader went to Iraq after he was injured in Afghanistan in May, 2002. Once he recovered, he traveled to Lebanon where he met with Hezbollah just before the October, 2002, assassination of USAID official Lawrence Foley

in Jordan. After Zarqawi's return to Iraq, he met with Ansar al-Islam officials in January, 2003, according to several AI terrorists arrested in Britain.

Zarqawi is currently in Iraq taking credit for suicide car bombings against innocent Iraqis and coalition forces.

More recently Abdul Rahman Yasin remains the only member of the al Qaeda cell that detonated the 1993 World Trade Center bomb to remain at large from the Clinton years. He fled to Iraq where U.S. forces recently uncovered a cache of documents in Saddam's hometown of Tikrit that show Yasin received both a house and monthly salary from Iraq.

A 9-11 Commission staff working paper stated that there appears to be no evidence that Iraq was linked to the September 11 attacks on the United States, but several Commission members have corrected the record recently to state that "The Vice President is saying that there were connections between al Qaeda and Saddam Hussein's government. We don't disagree with that," and that the Commission has "found contacts between al Qaeda and Iraq, that some of it is shadowy, but there is no question that the contacts were there."

I would like to submit at the appropriate time the transcript of the Talk Radio News Service questioning of 9-11 Commission members Hamilton and Kean following the hearing of the 9-11 Commission on Thursday, June 17, 2004.

Lastly, we should not forget that Iraq was designated as the state sponsor of terrorism for more than a decade, including this administration as well as previous administrations.

I urge this amendment be adopted so we can further augment our understanding of the nature of any relationship between al Qaeda and the Hussein government.

INDICTMENT

In the United States District Court—Southern District of New York, United States of America v. Usama bin Laden, Defendant.

COUNT ONE—CONSPIRACY TO ATTACK DEFENSE UTILITIES OF THE UNITED STATES

The Grand Jury charges:

Background: Al Qaeda

1. At all relevant times from in or about 1989 until the date of the filing of this Indictment, an international terrorist group existed which was dedicated to opposing non-Islamic governments with force and violence. This organization grew out of the "mekhtab al khidemat" (the "Services Office") organization which had maintained (and continues to maintain) offices in various parts of the world, including Afghanistan, Pakistan (particularly in Peshawar) and the United States, particularly at the Alkifah Refugee Center in Brooklyn. From in or about 1989 until the present, the group called itself "Al Qaeda" ("the Base"). From 1989 until in or about 1991, the group was headquartered in Afghanistan and Peshawar, Pakistan. In or about 1992, the leadership of Al Qaeda, including its "emir" (or prince) USAMA BIN LADEN, the defendant, and its military command relocated to the Sudan. From in or about 1991 until the present, the group also called itself the "Islamic Army."

The international terrorist group (hereafter referred to as "Al Qaeda") was headquartered in the Sudan from approximately 1992 until approximately 1996 but still maintained offices in various parts of the world. In 1996, USAMA BIN LADEN and Al Qaeda relocated to Afghanistan. At all relevant times, Al Qaeda was led by its "emir," USAMA BIN LADEN. Members of Al Qaeda pledged an oath of allegiance to USAMA BIN LADEN and Al Qaeda.

2. Al Qaeda opposed the United States for several reasons. First, the United States was regarded as "infidel" because it was not governed in a manner consistent with the group's extremist interpretation of Islam. Second, the United States was viewed as providing essential support for other "infidel" governments and institutions, particularly the governments of Saudi Arabia and Egypt, the nation of Israel and the United Nations, which were regarded as enemies of the group. Third, Al Qaeda opposed the involvement of the United States armed forces in the Gulf War in 1991 and in Operation Restore Hope in Somalia in 1992 and 1993. In particular, Al Qaeda opposed the continued presence of American military forces in Saudi Arabia (and elsewhere on the Saudi Arabian peninsula) following the Gulf War. Fourth, Al Qaeda opposed the United States Government because of the arrest, conviction and imprisonment of persons belonging to Al Qaeda or its affiliated terrorist groups, including Sheik Omar Abdel Rahman.

3. Al Qaeda has functioned both on its own and through some of the terrorist organizations that have operated under its umbrella, including: the Islamic Group (also known as "al Gamaa Islamiya" or simply "Gamaa't"), led by co-conspirator Sheik Omar Abdel Rahman," the al Jihad group based in Egypt; the "Talah e Fatah" ("Vanguards of Conquest") faction of al Jihad, which was also based in Egypt, which faction was led by co-conspirator Ayman al Zawahiri ("al Jihad"); Palestinian Islamic Jihad; and a number of jihad groups in other countries, including Egypt, the Sudan, Saudi Arabia, Yemen, Somalia, Eritrea, Kenya, Pakistan, Bosnia, Croatia, Algeria, Tunisia, Lebanon, the Philippines, Tajikistan, Chechnya, Bangladesh, Kashmir and Azerbaijan. In February 1998, Al Qaeda joined forces with Gamaa't, Al Jihad, the Jihad Movement in Bangladesh and the "Jamaat ul Ulema e Pakistan" to issue a fatwah (an Islamic religious ruling) declaring war against American civilians worldwide under the banner of the "International Islamic Front for Jihad on the Jews and Crusaders."

4. Al Qaeda also forged alliances with the National Islamic Front in the Sudan and with the government of Iran and its associated terrorist group Hezbollah for the purpose of working together against their perceived common enemies in the West, particularly the United States. In addition, al Qaeda reached an understanding with the government of Iraq that al Qaeda would not work against that government and that on particular projects, specifically including weapons development, al Qaeda would work cooperatively with the Government of Iraq.

5. Al Qaeda had a command and control structure which included a majlis al shura (or consultation council) which discussed and approved major undertakings, including terrorist operations.

6. Al Qaeda also conducted internal investigations of its members and their associates in an effort to detect informants and killed those suspected of collaborating with enemies of Al Qaeda.

7. From at least 1991 until the date of the filing of this Indictment, in the Sudan, Afghanistan and elsewhere out of the jurisdiction of any particular state or district,

USAMA BIN LADEN, a/k/a "Usamah Bin-Muhammad Bin-Laden," a/k/a "Shaykh Usamah Bin-Laden," a/k/a "Mujahid Shaykh," a/k/a "Abu Abdallah," a/k/a "QaQa," the defendant, and co-conspirator not named as a defendant herein (hereafter "Co-conspirator") who was first brought to and arrested in the Southern District of New York, and others known and unknown to the grand jury, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to injure and destroy, and attempt to injure and destroy, national-defense material, national-defense premises and national-defense utilities of the United States with the intent to injure, interfere with and obstruct the national defense of the United States.

Overt Acts

8. In furtherance of the same conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed:

a. At various times from at least as early as 1991 until at least in or about February 1998, USAMA BIN LADEN, the defendant, met with Co-conspirator and other members of Al Qaeda in the Sudan, Afghanistan and elsewhere;

b. At various times from at least as early as 1991, USAMA BIN LADEN, and others known and unknown, made efforts to obtain weapons, including firearms and explosives, for Al Qaeda and its affiliated terrorist groups;

c. At various times from at least as early as 1991, USAMA BIN LADEN, and others known and unknown, provided training camps and guesthouses in various areas, including Afghanistan and the Sudan, for the use of Al Qaeda and its affiliated terrorist groups;

d. At various times from at least as early as 1991, USAMA BIN LADEN, and others known and unknown, made efforts to produce counterfeit passports purporting to be issued by various countries and also obtained official passports from the Government of the Sudan for use by Al Qaeda and its affiliated groups;

e. At various times from at least as early as 1991, USAMA BIN LADEN, and others known and unknown, made efforts to recruit United States citizens to Al Qaeda in order to utilize the American citizens for travel throughout the Western world to deliver messages and engage in financial transactions for the benefit of Al Qaeda and its affiliated groups;

f. At various times from at least as early as 1991, USAMA BIN LADEN, and others known and unknown, made efforts to utilize non-Government organizations which purported to be engaged in humanitarian work as conduits for transmitting funds for the benefit of Al Qaeda and its affiliated groups;

g. At various times from at least as early as 1991, Co-conspirator and others known and unknown to the grand jury engaged in financial and business transactions on behalf of defendant USAMA BIN LADEN and Al Qaeda, including, but not limited to: purchasing land for training camps; purchasing warehouses for storage of items, including explosives; transferring funds between bank accounts opened in various names; obtaining various communications equipment, including satellite telephones; and transporting currency and weapons to members of Al Qaeda and its associated terrorist organizations in various countries throughout the world;

h. At various times from in or about 1992 until the date of the filing of this Indictment, USAMA BIN LADEN and other ranking members of Al Qaeda stated privately to other members of Al Qaeda that Al Qaeda

should put aside its differences with Shiite Muslim terrorist organizations, including the Government of Iran and its affiliated terrorist group Hezbollah, to cooperate against the perceived common enemy, the United States and its allies;

i. At various times from in or about 1992 until the date of the filing of this Indictment, USAMA BIN LADEN and other ranking members of Al Qaeda stated privately to other members of Al Qaeda that the United States forces stationed on the Saudi Arabian peninsula, including both Saudi Arabia and Yemen, should be attacked;

j. At various times from in or about 1992 until the date of the filing of this Indictment, USAMA BIN LADEN and other ranking members of Al Qaeda stated privately to other members of Al Qaeda that the United States forces stationed in the Horn of Africa, including Somalia, should be attacked;

k. Beginning in or about early spring 1993, Al Qaeda members began to provide training and assistance to Somali tribes opposed to the United Nations' intervention in Somalia;

l. On October 3 and 4, 1993, members of Al Qaeda participated with Somali tribesmen in an attack on United States military personnel serving in Somalia as part of Operation Restore Hope, which attack killed a total of 18 United States soldiers and wounded 73 others in Mogadishu;

m. On two occasions in the period from in or about 1992 until in or about 1995, Co-conspirator helped transport weapons and explosives from Khartoum to Port Sudan for transshipment to the Saudi Arabian peninsula;

n. At various times from at least as early as 1993, USAMA BIN LADEN and others known and unknown, made efforts to obtain the components of nuclear weapons;

o. At various times from at least as early as 1993, USAMA BIN LADEN and others known and unknown, made efforts to produce chemical weapons;

p. On or about August 23, 1996, USAMA BIN LADEN signed and issued a Declaration of Jihad entitled "Message from Usamah Bin-Muhammad Bin-Laden to His Muslim Brothers in the Whole World and Especially in the Arabian Peninsula: Declaration of Jihad Against the Americans Occupying the Land of the Two Holy Mosques; Expel the Heretics from the Arabian Peninsula" (hereafter "Declaration of Jihad") from the Hindu Kush mountains in Afghanistan. The Declaration of Jihad included statements that efforts should be pooled to kill Americans and encouraged other persons to join the jihad against the American "enemy";

q. In or about late August 1996, USAMA BIN LADEN read aloud the Declaration of Jihad and made an audiotape recording of such reading for worldwide distribution; and

r. In February 1998, USAMA BIN LADEN issued a joint declaration in the name of Gamaa't, Al Jihad, the Jihad Movement in Bangladesh and the "Jamaat ul Ulema e Pakistan" under the banner of the "International Islamic Front for Jihad on the Jews and Crusaders," which stated that Muslims should kill Americans—including civilians—anywhere in the world where they can be found.

(Title 18, United States Code, Section 2155(b).)

MARY JO WHITE,
United States Attorney.

[From the Sunday Times (London), July 14, 2002]

MILITIA DEFECTOR CLAIMS BAGHDAD TRAINED
AL-QAEDA FIGHTERS IN CHEMICAL WARFARE
(By Gwynne Roberts)

A former colonel in Saddam Hussein's Fedayeen, one of Iraq's most brutal militias,

has claimed that he trained with fighters from Osama Bin Laden's Al-Qaeda terrorist network in secret camps near Baghdad. The defector, who fled to Turkey three years ago, says that as long ago as 1997 and 1998, Islamic extremists were being taught how to use chemical and biological weapons.

Their instructors, he says, were from a military intelligence organisation known as Unit 999, which ran a six-month course for "foreigners" including the Iranian opposition organisation Mojahedin-e Khalq and the Turkish-Kurdish PKK rebel movement as well as Al-Qaeda.

Colonel "Abu Mohammed", whose real name is being withheld to protect him and his family near Ankara, says American officials who debriefed him in 1999 showed little interest in his information. If true, however, his story may acquire fresh significance as America seeks evidence of a link between Saddam Hussein and Bin Laden that could help it to justify an attack on Baghdad. In recent months several defectors have spoken of secret training camps in Iraq where Arabs from all over the Middle East have been trained in sabotage techniques by Mukhabarat (intelligence) instructors.

Mohammed said he was recruited into Saddam's Fedayeen in 1997 and trained at two secret facilities—at Salman Pak, south-east of Baghdad, and at the Unit 999 camp, northwest of the Iraqi capital. His first encounter with Bin Laden's fighters occurred at Salman Pak when he was on an induction course to become a Fedayeen officer, he said.

"We were met by Colonel Jamil Kamil, the camp manager, and Major Ali Hawas. I noticed that a lot of people were queuing for food.

(The major) said to me: 'You'll have nothing to do with these people. They are Osama Bin Laden's group and the PKK and the Mojahedin-e Khalq.

"They train for three months at Unit 999 and another three at the Mukhabarat school in Salman Pak. So there are two camps where they train Bin Laden's people."

Mohammed said he had attended another training course at Salman Pak and Unit 999 a year later, spending 15 days at each facility. Here, once again, he encountered Al-Qaeda fighters undergoing specialised sabotage training.

"There was training in the use of biological and chemical weapons there but they were not Iraqis doing it—only foreigners," he said.

"They were trained to put materials into small containers and study the biological effects. In the training areas there is a field especially for weapons of mass destruction. Here, experts hold lectures and conduct biological experiments—theoretical experiments, of course—on how to place explosives or how to pollute specific areas, water and public places and ventilation systems as well as power stations. They had maps of the USA, Britain, Turkey, Iran and Saudi Arabia."

Mohammed's claims illustrate the challenge American officials face in determining the quality of information from defectors whose hatred of the Iraqi regime may lead them to embellish their accounts.

The intelligence services have struggled to find convincing evidence of links between Iraq and Al-Qaeda. Saddam's secular regime has little in common with Bin Laden except for a shared hatred of America and Israel.

However, Abbas al-Janabi, who spent 15 years as personal assistant to Uday, Saddam's son, before fleeing to the West in 1998 and who is regarded as one of the most reliable senior defectors, is convinced that there is a connection between Bin Laden and Saddam. Last week he said he had learnt that Iraqi officials had visited Afghanistan

and Sudan to strengthen ties with Al-Qaeda. He also knew of a top secret centre near Baghdad where "foreigners" trained with Iraqis.

"This was a sort of factory for turning out instructors," Janabi said. "They trained both Iraqis and foreign nationals. Suicide squads were trained in sabotage techniques using weapons of mass destruction. They were well paid, well fed and their families well looked after." Janabi predicted that in the event of war with the West, Saddam would deploy bio-weapons including smallpox.

The training described by Mohammed and Jannabi raises the possibility that Iraq has been passing on expertise learnt from the East Germans during the cold war. At Massow, a camp just south of Berlin, secret police instructors taught Iraqis how to attack civilian targets using chemical and biological warfare agents.

A former Stasi lieutenant-colonel said: "The courses emphasised chemical weapons which attack the nervous system. They were also taught how to deploy bacteriological weapons—influenza, anthrax and yellow fever."

In a Kurdish prison in Sulaimaniya, northern Iraq, further corroboration of claims that Saddam and Bin Laden have co-operated has come from an Iraqi who has admitted working for the Mukhabarat. He said that Bin Laden's second-in-command, the Egyptian doctor Ayman al-Zawahiri, had met Saddam in Baghdad in 1992. "I was one of the people responsible for his protection," he claimed.

The prisoner seemed well informed about Unit 999. Men attached to Al-Qaeda had been dispatched, from there to Afghanistan, Lebanon, Sudan and to a base in Somalia from where they were reassigned, he said. Some fighters trained by the Iraqis had joined Al-Ansar Al-Islam, the Allies of Islam, a militant Islamic group based in eastern Kurdistan.

Acts of terror by this group are beginning to pose a serious threat to stability in the area. Al-Ansar is blamed for trying to assassinate Dr Barham Salih, prime minister of the Kurdish regional government, in April. Two would-be assassins were killed and a third was captured. During the subsequent investigation the captive reportedly admitted that Al-Qaeda had recruited him in Jordan.

There is also growing evidence that Bin Laden's supporters are crossing through Iran from Afghanistan to join Al-Ansar. Inhabitants of Halabja, the town gassed by the Iraqi army in 1988, live in fear of Al-Ansar reprisals against anyone considered pro-western.

With the prospect of American intervention in northern Iraq looming, Al-Ansar could prove dangerous. Its objective is to overthrow the pro-western Kurdish regional governments and to set up an Islamic state modelled on the Taliban's rule in Afghanistan.

[From Global Security.org, Dec. 14, 2002]

SALMAN PARK—Iraq SPECIAL WEAPONS FACILITIES

Former Iraqi military officers have described a highly secret terrorist training facility at Salman Pak, where both Iraqis and non-Iraqi Arabs receive training on hijacking planes and trains, planting explosives in cities, sabotage, and assassinations.

The Salman Pak biological warfare facility was located on a peninsula caused by a bend in the Tigris river, approximately five kilometers (km) from the arch located in the town of Salman Pak. The facility area comprised more than 20 square km, and might

have been known as a farmers (or agricultural) experimentation center. The peninsula was fenced off and patrolled by a large guard force. Immediately inside and to the east of the fence line were two opulent villas: the larger built for Iraqi president Saddam Hussein and the other for his half-brother, Barazan al-Tikriti. A main paved road ran through the center of the Salman Pak facility/peninsula.

Plans were made in the mid-1980's to develop the Salman Pak site into a secure biological warfare research facility. Dr Rihab Taha, head of a small biological weapons research team, continued to work with her team at al-Muthanna until 1987 when it moved to Salman Pak, which was under the control of the Directorate of General Intelligence.

Located at the facility are several buildings. The probable main research building at the site is a modern building, composed of twenty four rooms, housing a major BW research facility. Using current technology the research area alone had sufficient floor space to accommodate several continuous flow or batch fermenters that could produce daily sufficient anthrax bacteria to lethally assault hundreds of square kilometers. Adjacent to the research building is a storage area which contains four munitions type storage bunkers with lighting arrestors. Two of these bunkers have facilities for storage of temperature sensitive biological material. Approximately a mile down the road from the research area is a complex US intelligence believe to be an engineering area. One building in this complex was thought to contain a fermentation pilot plant capable of scale up production of BW agents. A construction project comprising several buildings was begun in early 1989 adjacent to the engineering area, and was near completion in 1990. This new complex was assessed as a pharmaceutical production plant. As such, this facility would have an extensive capability for biological agent production.

Salman Pak, located 30-40 km SE of Baghdad, engaged in laboratory scale research on Anthrax, Botulinum toxin, Clostridium, perfringens (gas gangrene), mycotoxins, aflatoxins, and Ricin. Researchers at this site carried out toxicity evaluations of these agents and examined their growth characteristics and survivability.

Equipment-moving trucks and refrigerated trucks were observed at the Salman Pak BW facility prior to the onset of bombing, suggesting that Iraq was moving equipment or material into or out of the facility. Information obtained after the conflict revealed that Iraq had moved BW agent production equipment from Salman Pak to the Al Hakam suspect BW facility.

The Qadisiya State Establishment [aka Al-Qadisia], involved in the program to produce Al Hussein class missiles, is apparently located nearby, along with the Al-Yarmouk facility which according to some reports was associated with the chemical munitions program [and which other reports place at Yusufiyah].

Iraq told UN inspectors that Salman Pak was an anti-terror training camp for Iraqi special forces. However, two defectors from Iraqi intelligence stated that they had worked for several years at the secret Iraqi government camp, which had trained Islamic terrorists in rotations of five or six months since 1995. Training activities including simulated hijackings carried out in an airplane fuselage [said to be a Boeing 707] at the camp. The camp is divided into distinct sections. On one side of the camp young, Iraqis who were members of Fedayeen Saddam are trained in espionage, assassination techniques and sabotage. The Islamic militants trained on the other side of the camp, in an

area separated by a small lake, trees and barbed wire. The militants reportedly spent time training, usually in groups of five or six, around the fuselage of the airplane. There were rarely more than 40 or 50 Islamic radicals in the camp at one time.

[From townhall.com, June 18, 2004]

WRONG AGAIN

(By Richard Miniter)

Every day it seems another American soldier is killed in Iraq. These grim statistics have become a favorite of network news anchors and political chat show hosts. Nevermind that they mix deaths from accidents with actual battlefield casualties; or that the average is actually closer to one American death for every two days; or that enemy deaths far outnumber ours. What matters is the overall impression of mounting, pointless deaths.

That is why it is important to remember why we fight in Iraq—and who we fight. Indeed, many of those sniping at U.S. troops are al Qaeda terrorists operating inside Iraq. And many of bin Laden's men were in Iraq prior to the liberation. A wealth of evidence on the public record—from government reports and congressional testimony to news accounts from major newspapers—attests to longstanding ties between bin Laden and Saddam going back to 1994.

Those who try to whitewash Saddam's record don't dispute this evidence; they just ignore it. So let's review the evidence, all of it on the public record for months or years:

Abdul Rahman Yasin was the only member of the al Qaeda cell that detonated the 1993 World Trade Center bomb to remain at large in the Clinton years. He fled to Iraq. U.S. forces recently discovered a cache of documents in Tikrit, Saddam's hometown, that show that Iraq gave Mr. Yasin both a house and monthly salary.

Bin Laden met at least eight times with officers of Iraq's Special Security Organization, a secret police agency run by Saddam's son Qusay, and met with officials from Saddam's mukhabarat, its external intelligence service, according to intelligence made public by Secretary of State Colin Powell, who was speaking before the United Nations Security Council on February 6, 2003.

Sudanese intelligence officials told me that their agents had observed meetings between Iraqi intelligence agents and bin Laden starting in 1994, when bin Laden lived in Khartoum. Bin Laden met the director of the Iraqi mukhabarat in 1996 in Khartoum, according to Mr. Powell. An al Qaeda operative now held by the U.S. confessed that in the mid-1990s, bin Laden had forged an agreement with Saddam's men to cease all terrorist activities against the Iraqi dictator, Mr. Powell told the United Nations.

In 1999 the Guardian, a British newspaper, reported that Farouk Hijazi, a senior officer in Iraq's mukhabarat, had journeyed deep into the icy mountains near Kandahar, Afghanistan, in December 1998 to meet with al Qaeda men. Mr. Hijazi is "thought to have offered bin Laden asylum in Iraq," the Guardian reported.

In October 2000, another Iraqi intelligence operative, Salah Suleiman, was arrested near the Afghan border by Pakistani authorities, according to Jane's Foreign Report, a respected international newsletter. Jane's reported that Suleiman was shuttling between Iraqi intelligence and Ayman al Zawahiri, now al Qaeda's No. 2 man.

(Why are all of those meetings significant? The London Observer reports that FBI investigators cite a captured al Qaeda field manual in Afghanistan, which "emphasizes the value of conducting discussions about pend-

ing terrorist attacks face to face, rather than by electronic means.")

As recently as 2001, Iraq's embassy in Pakistan was used as a "liaison" between the Iraqi dictator and al Qaeda. Mr. Powell told the United Nations.

Spanish investigators have uncovered documents seized from Yusuf Galan—who is charged by a Spanish court with being "directly involved with the preparation and planning" of the Sept. 11 attacks—that show the terrorist was invited to a party at the Iraqi embassy in Madrid. The invitation used his "al Qaeda nom de guerre," London's Independent reports.

An Iraqi defector to Turkey, known by his cover name as "Abu Mohammed," told Gwynne Roberts of the Sunday Times of London that he saw bin Laden's fighters in camps in Iraq in 1997. At the time, Mohammed was a colonel in Saddam's Fedayeen. He described an encounter at Salman Pak, the training facility southeast of Baghdad. At that vast compound run by Iraqi intelligence, Muslim militants trained to hijack planes with knives—on a full-size Boeing 707. Col. Mohammed recalls his first visit to Salman Pak this way: "We were met by Colonel Jamil Kamil, the camp manager, and Major Ali Hawas. I noticed that a lot of people were queuing for food. (The major) said to me: 'You'll have nothing to do with these people. They are Osama bin Laden's group and the PKK and Mojahedin-e Khalq.'"

In 1998, Abbas al-Janabi, a longtime aide to Saddam's son Uday, defected to the West. At the time, he repeatedly told reporters that there was a direct connection between Iraq and al Qaeda.

The Sunday Times found a Saddam loyalist in a Kurdish prison who claims to have been Dr. Zawahiri's bodyguard during his 1992 visit with Saddam in Baghdad. Dr. Zawahiri was a close associate of bin Laden at the time and was present at the founding of al Qaeda in 1989.

Following the defeat of the Taliban, almost two dozen bin Laden associates "converged on Baghdad and established a base of operations there," Mr. Powell told the United Nations in February 2003. From their Baghdad base, the secretary said, they supervised the movement of men, materiel and money for al Qaeda's global network.

In 2001, an al Qaeda member "bragged that the situation in Iraq was 'good,'" according to intelligence made public by Mr. Powell.

That same year, Saudi Arabian border guards arrested two al Qaeda members entering the kingdom from Iraq.

Abu Musaab al-Zarqawi oversaw an al Qaeda training camp in Afghanistan. Mr. Powell told the United Nations. His specialty was poisons. Wounded in fighting with U.S. forces, he sought medical treatment in Baghdad in May 2002. When Zarqawi recovered, he restarted a training camp in northern Iraq. Zarqawi's Iraq cell was later tied to the October 2002 murder of Lawrence Foley, an official of the U.S. Agency for International Development, in Amman, Jordan. The captured assassin confessed that he received orders and funds from Zarqawi's cell in Iraq. Mr. Powell said. His accomplice escaped to Iraq.

Zarqawi met with military chief of al Qaeda, Mohammed Ibrahim Makwai (aka Saif al-Adel) in Iran in February 2003, according to intelligence sources cited by the Washington Post.

Mohammad Atef, the head of al Qaeda's military wing until the U.S. killed him in Afghanistan in November 2001, told a senior al Qaeda member now in U.S. custody that the terror network needed labs outside of Afghanistan to manufacture chemical weapons, Mr. Powell said. "Where did they go, where did they look?" said the secretary. "They went to Iraq."

Abu Abdullah al-Iraqi was sent to Iraq by bin Laden to purchase poison gases several times between 1997 and 2000. He called his relationship with Saddam's regime "successful," Mr. Powell told the United Nations.

Mohamed Mansour Shahab, a smuggler hired by Iraq to transport weapons to bin Laden in Afghanistan, was arrested by anti-Hussein Kurdish forces in May, 2000. He later told his story to American intelligence and a reporter for the New Yorker magazine.

Documents found among the debris of the Iraqi Intelligence Center show that Baghdad funded the Allied Democratic Forces, a Ugandan terror group led by an Islamist cleric linked to bin Laden. According to a London's Daily Telegraph, the organization offered to recruit "youth to train for the jihad" at a "headquarters for international holy warrior network" to be established in Baghdad.

Mullah Melan Krekar, ran a terror group (the Ansar al-Islam) linked to both bin Laden and Saddam Hussein. Mr. Krekar admitted to a Kurdish newspaper that he met bin Laden in Afghanistan and other senior al Qaeda officials. His acknowledged meetings with bin Laden go back to 1988. When he organized Ansar al Islam in 2001 to conduct suicide attacks on Americans, "three bin Laden operatives showed up with a gift of \$300,000 'to undertake jihad,'" Newsday reported. Mr. Krekar is now in custody in the Netherlands. His group operated in portion of northern Iraq loyal to Saddam Hussein—and attacked independent Kurdish groups hostile to Saddam. A spokesman for the Patriotic Union of Kurdistan told a United Press International correspondent that Mr. Krekar's group was funded by "Saddam Hussein's regime in Baghdad."

After October 2001, hundreds of al Qaeda fighters are believed to have holed up in the Ansar al-Islam's strongholds inside northern Iraq.

Some skeptics dismiss the emerging evidence of a longstanding link between Iraq and al Qaeda by contending that Saddam ran a secular dictatorship hated by Islamists like bin Laden.

In fact, there are plenty of "Stalin-Roosevelt" partnerships between international terrorists and Muslim dictators. Saddam and bin Laden had common enemies, common purposes and interlocking needs. They shared a powerful hate for America and the Saudi royal family. They both saw the Gulf War as a turning point. Saddam suffered a crushing defeat which he had repeatedly vowed to avenge. Bin Laden regards the U.S. as guilty of war crimes against Iraqis and believes that non-Muslims shouldn't have military bases on the holy sands of Arabia. Al Qaeda's avowed goal for the past ten years has been the removal of American forces from Saudi Arabia, where they stood in harm's way solely to contain Saddam.

The most compelling reason for bin Laden to work with Saddam is money. Al Qaeda operatives have testified in federal courts that the terror network was always desperate for cash. Senior employees fought bitterly about the \$100 difference in pay between Egyptian and Saudis (the Egyptians made more). One al Qaeda member, who was connected to the 1998 embassy bombings, told a U.S. federal court how bitter he was that bin Laden could not pay for his pregnant wife to see a doctor.

Bin Laden's personal wealth alone simply is not enough to support a profligate global organization. Besides, bin Laden's fortune is probably not as large as some imagine. Informed estimates put bin Laden's pre-Sept. 11, 2001 wealth at perhaps \$30 million. \$30 million is the budget of a small school district, not a global terror conglomerate. Meanwhile, Forbes estimated Saddam's personal fortune at \$2 billion.

So a common enemy, a shared goal and powerful need for cash seem to have forged an alliance between Saddam and bin Laden. CIA Director George Tenet recently told the Senate Intelligence Committee: "Iraq has in the past provided training in document forgery and bomb making to al Qaeda. It also provided training in poisons and gasses to two al Qaeda associates; one of these [al Qaeda] associates characterized the relationship as successful. Mr. Chairman, this information is based on a solid foundation of intelligence. It comes to us from credible and reliable sources. Much of it is corroborated by multiple sources.

The Iraqis, who had the Third World's largest poison-gas operations prior to the Gulf War I, have perfected the technique of making hydrogen-cyanide gas, which the Nazis called Zyklon-B. In the hands of al Qaeda this would be a fearsome weapon in an enclosed space like a suburban mall or subway station.

[From Talk Radio News Service, June 17, 2004]

(Excerpt from the media availability following the hearing of the National Commission on Terrorist Attacks Upon the United States. Participants: Thomas Kean, Commission Chairman; Lee Hamilton, Commission Co-Chairman.)

QUESTION. The Associated Press is reporting this morning that President Bush has disputed your finding that there was no collaborative relationship between Saddam Hussein and al Qaeda. Would you like to comment on that?

MR. KEAN. Well, what we're going on is the evidence we have found. What we have found is that, were there contacts between al Qaeda and Iraq? Yes. Some of it is shadowy, but there's no question they were there. That is correct. What our staff statement found is there is no credible evidence that we can discover, after a long investigation, that Iraq and Saddam Hussein in any way were part of the attack on the United States.

MR. HAMILTON. I must say I have trouble understanding the flack over this. The vice president is saying, I think, that there were connections between al Qaeda and Saddam Hussein's government. We don't disagree with that. What we have said is what the governor just said, we don't have any evidence of a cooperative, or a corroborative relationship between Saddam Hussein's government and these al Qaeda operatives with regard to the attacks on the United States. So it seems to me the sharp differences that the press has drawn, the media has drawn, are not that apparent to me.

MR. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the gentleman from Illinois for helping to demonstrate the very reason why it is important to have an Inspector General's audit because of all the conflicting information. So I appreciate his presenting his side.

MR. CHAIRMAN. I yield 1 minute to the gentleman from California (Ms. HARMAN), our ranking member.

MS. HARMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

I believe that having the CIA Inspector General conduct an impartial independent audit of the intelligence reporting on this matter is a good idea, and I support his amendment.

Let me just mention something that I do not believe has come up the de-

bate, and that is that there is a real difference pre-war and post-war. From my review of the sources provided to our committee on the nature of this relationship, I have concluded that pre-war there were contacts but no operational relationship. Post-war is a different story. Post-war there is an operational relationship between terrorists and folks on the ground in Iraq. Saddam Hussein is no longer there, but there is a massive both recruiting and enabling effort in Iraq for terrorists around the world. Iraq has now become fly paper.

Let me just suggest to the amendment's sponsor that the results of the audit should be made public. I think that might help eradicate some of the confusion that has been discussed.

I think his amendment is a public service, and I support it.

MR. GOSS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

MR. CUNNINGHAM. Mr. Chairman, I do not oppose the amendment, but I resent the implication that the President did something wrong. And I would like to read.

"That's why I supported the Iraq thing. There was a lot of stuff unaccounted for. I thought the President had an absolute responsibility to go to the U.N. and say, 'Look, guys, after 9-11 you have got to demand that Saddam Hussein lets us finish the inspection process. I supported what he did going into Iraq. What I was far more worried about was that he'd sell this stuff or give it away. Same thing I've always been worried about North Korea's nuclear and al Qaeda, as well as North Korea giving away nuclear components.'"

This is President Bill Clinton. And al Qaeda was there in Iraq. Al Qaeda had significant ties to that. Saddam Hussein paid people to blow themselves up in Israel and kill American citizens. So the implication that al Qaeda was not in Iraq I oppose. But I do not oppose going in and researching exactly what those were.

[From Time Magazine, June 28, 2004]

You know, I have repeatedly defended President Bush against the left on Iraq, even though I think he should have waited until the U.N. inspections were over. I don't believe he went in there for oil. We didn't go in there for imperialist or financial reasons. We went in there because he bought the Wolfowitz-Cheney analysis that the Iraqis would be better off, we could shake up the authoritarian Arab regimes in the Middle East, and our leverage to make peace between the Palestinians and Israelis would be increased.

At the moment the U.N. inspectors were kicked out in 1998, this is the proper language: there were substantial quantities of botulinum and aflatoxin, as I recall, some bioagents, I believe there were those, and VX and ricin, chemical agents, unaccounted for. Keep in mind, that's all we ever had to work on. We also thought there were a few missiles, some warheads, and maybe a very limited amount of nuclear laboratory capacity.

After 9/11, let's be fair here, if you had been President, you'd think, Well, this fellow bin

Laden just turned these three airplanes full of fuel into weapons of mass destruction, right? Arguably they were super-powerful chemical weapons. Think about it that way. So, you're sitting there as President, you're reeling in the aftermath of this, so, yeah, you want to go get bin Laden and do Afghanistan and all that. But you also have to say, Well, my first responsibility now is to try everything possible to make sure that this terrorist network and other terrorist networks cannot reach chemical and biological weapons or small amounts of fissile material. I've got to do that.

That's why I supported the Iraq thing. There was a lot of stuff unaccounted for. So I thought the President had an absolute responsibility to go to the U.N. and say, "Look, guys, after 9/11, you have got to demand that Saddam Hussein lets us finish the inspection process. You couldn't responsibly ignore [the possibility that] a tyrant had these stocks. I never really thought he'd [use them]. What I was far more worried about was that he'd sell this stuff or give it away. Same thing I've always been worried about North Korea's nuclear and missile capacity. I don't expect North Korea to bomb South Korea, because they know it would be the end of their country. But if you can't feed yourself, the temptation to sell this stuff is overwhelming. So that's why I thought Bush did the right thing to go back. When you're the President, and your country has just been through what we had, you want everything to be accounted for.

ON WHETHER THE IRAQ WAR WAS WORTH THE COSTS

It's a judgment that no one can make definitively yet. I would not have done it until after Hans Blix finished his job. Having said that, over 600 of our people have died since the conflict was over. We've got a big stake now in making it work. I want it to have been worth it, even though I didn't agree with the timing of the attack. I think if you have a pluralistic, secure, stable Iraq, the people of Iraq will be better off, and it might help the process of internal reform in Saudi Arabia and elsewhere. I think right now, getting rid of Saddam's tyranny, ironically, has made Iraq more vulnerable to terrorism coming in from the outside. But any open society is going to be more vulnerable than any tyranny to that.

MR. KUCINICH. Mr. Chairman, I yield 45 seconds to the gentleman from Texas (Mr. REYES).

MR. REYES. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of this amendment, and I appreciate the remarks of our colleagues on the other side of the aisle because it is important to set the record straight, let the facts come out and see where everything was.

I would remind everybody that for a whole year, post-9-11, when intelligence people would come and brief our committee, I would ask what was the connection between al Qaeda and Saddam Hussein, and repeatedly their answer was none. In one case, one individual said there might have been, if we stretch it, one instance. But I think it is important that we get to the bottom of this. This is a right way to do it. This is something that the whole House should support, and I applaud the gentleman for offering it.

MR. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

I just want to thank all my colleagues for their perspectives as to why

this is a necessary amendment and comment that today that Admiral Stansfield Turner has also endorsed this amendment. I want to thank the chairman and ranking member for supporting it.

Mr. KUCINICH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) will be postponed.

It is now in order to consider amendment No. 9 printed in House Report 108-561.

AMENDMENT NO. 9 OFFERED BY MR. SIMMONS

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. SIMMONS:

At the end of title III (page 11, after line 8), insert the following new section:

SEC. 304. REPORT ON USE OF OPEN SOURCE INTELLIGENCE.

Not later than 6 months after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress an unclassified report on progress made by the intelligence community with respect to the use of Open Source Intelligence (OSINT).

The CHAIRMAN. Pursuant to House Resolution 686, the gentleman from Connecticut (Mr. SIMMONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut (Mr. SIMMONS).

□ 1945

Mr. SIMMONS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise today to urge my colleagues to support my amendment, and I thank the Committee on Rules and the distinguished chairman of the Permanent Select Committee on Intelligence for endorsing this amendment. It is quite simple. It directs the Director of Central Intelligence to prepare over a 6-month period a report on the progress of open sources of intelligence.

Open-source intelligence refers to an intelligence discipline based on information collected from open sources, generally available to the public.

In the mid-1990s, it was my honor to command the 434th Military Intelligence Detachment, a U.S. Army reserve unit affiliated with Yale University and located in New Haven, Connecticut. With the active participation of Chief Warrant Officer Tompkins and Sergeant Eliot Jardines, our unit wrote the first handbook for open-source intelligence for the U.S. Army.

Today, Mr. Jardines has provided me with some interesting photographs that at first look like highly classified aerial photographs of the uranium enrichment facility in Iran, and it shows here the enrichment facility being built; and then in this photograph, it has been covered with dirt, and you can see a large security or perimeter fence around it.

A closer look at this aerial image again shows the construction of the enrichment facility and then how it has been buried in Iran, presumably to keep it a secret from the rest of the world.

These are not classified. These images were obtained from open sources; and the beauty of open source in this particular instance, Mr. Chairman, is that these images can be e-mailed around the country and around the world for others to look at them and to assist in the analysis process.

Why is open source so important? It is important because there is a vast amount of information available in the public sector. It can be shared. It can be shared with other countries. It can be transported without concern about classification.

Recently, the Joint Military Intelligence Training Center published an open-source exploitation guide. A few years previously, the "Open-source Quarterly" published additional information on how we can enhance our intelligence capabilities with open source, but this May the U.S. Army distributed FM 2-0 on intelligence, and they left open source out altogether. That is unfortunate, at a time when our intelligence performance is being questioned.

At a time when every scrap of information is needed to piece together the puzzle presented by terrorist operations, there could be no better time than to incorporate the value of OSINT to our overall intelligence product and make it available to our policymakers and our military forces.

I ask my colleagues to join me in supporting this important amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Who seeks time in opposition to the amendment?

Ms. HARMAN. Mr. Chairman, I do not oppose the amendment, but I will control the time on this.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. HARMAN. Mr. Chairman, I yield myself such time as I may consume, and I want the gentleman to know that I support his amendment.

For years the Permanent Select Committee on Intelligence has extolled the virtues of open-source reporting, as he calls it, OSINT. Often they are the most reliable form of intelligence available, as his charts illustrate. Yet, in spite of this, I believe the intelligence community has not invested sufficiently in open sources of informa-

tion, and I am pleased that this amendment is being offered, and I think it improves the bill we are debating.

On that subject, Mr. Chairman, let me just return to an earlier conversation about full funding of counterterrorism. While we have been spending the last 4 hours on the floor, a letter was received from the DCI, George Tenet. It was addressed to me and to the gentleman from Florida (Chairman Goss), and he states in his letter that he is planning to release it. It is a comment on the majority report language to the bill, and I just want to quote in part.

He says, this is a letter dated today: "I find it hard to accept that any serious observer would believe, as the committee apparently does, that there is an unhealthy emphasis on counterterrorism and counterproliferation efforts or that we are placing too much emphasis supporting the Nation's Iraq effort at the CIA. I am deeply disappointed at the way the report has chosen to question the leadership and capabilities of the clandestine service."

Now, these are the opinions of DCI George Tenet. I would just point out at this point in the debate that the minority was never consulted about the majority report. We filed our own report, and I would just like the record to reflect that these are the reactions of DCI George Tenet to portions of the majority report.

Mr. Chairman, I reserve the balance of my time.

Mr. SIMMONS. Mr. Chairman, I yield 1 minute to my friend and distinguished colleague, the gentleman from Illinois (Mr. KIRK), who is also a naval intelligence officer.

Mr. KIRK. Mr. Chairman, I rise in support of the Simmons amendment. Unlike some other amendments in this bill that are offered for partisan advantage, this amendment is offered by a former CIA officer with detailed knowledge of how the U.S. intelligence community works. To my knowledge, there are only three current Members of Congress who work with the CIA: our chairman, the gentleman from Florida (Mr. Goss), the author of this amendment; the gentleman from Connecticut (Mr. SIMMONS); and me, who is detailed to the CIA from navy intelligence.

This amendment seeks to change our intelligence culture to become more effective in the age of the Internet. Today, every two-bit terror organization in the world has a Web site broadcasting information on its activities. Internet news, political parties, and foreign government sites all offer new material to our intelligence community.

For years in the cold war, our enemies collected open-source data on us, but we were forced to collect secret data on them. That is now changing. There is a wealth of open-source data on our adversaries. Every analyst in the community should be encouraged to use as much current and accurate

open-source data as possible; and I applaud the gentleman, who knows the CIA so well, for offering this amendment to keep our culture up to date with the current technology.

Ms. HARMAN. Mr. Chairman, how much time is remaining on our side?

The CHAIRMAN. The gentlewoman from California (Ms. HARMAN) has 3 minutes remaining. The gentleman from Connecticut (Mr. SIMMONS) has 1 minute remaining.

Ms. HARMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a member of our committee.

Mr. HOLT. Mr. Chairman, I rise in strong support of the Simmons amendment. To set the record straight, there is on this side an alumnus of the intelligence community. I also used to work in the intelligence community, and I can assure my colleagues that the agencies make much less use of the wealth of open-source information than they could.

Open sources mean more than searching the Internet for printed material or extending the reach of the foreign broadcast information service. There are now commercial companies with high-quality imagery from satellites. There is mature technology for using commercial radio and television broadcasts as illumination sources to passively detect and track aircraft. These techniques could be used to augment air surveillance, for example. The Internet, as we are all aware, could be exploited for many intelligence purposes and so on.

There is much we could do. Last year, I sponsored in this very authorization bill a provision that required the intelligence community to report to us on how new approaches of open-source intelligence would be incorporated into intelligence products. Although that report is, I am told, in final coordination now, we still have not received it. So I think it is appropriate to put this language into the bill, not just report language, so that the intelligence community will make full use of open-source information.

Mr. Chairman, I commend my colleague once again this evening for his statement and offer strong support for the Simmons amendment.

Mr. SIMMONS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from New Jersey for his very appropriate comments, and I am glad to hear that we share a mutual interest.

In closing, I would simply like to draw attention to a book called "The New Craft of Intelligence," which focuses on open source. The distinguished chairman of the Senate committee made the comment in the preface, "Secret intelligence alone cannot protect America."

This amendment is designed to address that issue.

Mr. Chairman, I yield the balance of my time to the gentleman from Florida (Mr. GOSS), the distinguished chairman of the committee.

The CHAIRMAN. The gentleman from Florida is recognized for 30 seconds.

Mr. GOSS. Mr. Chairman, I rise in support, and associate myself with a distinguished member of the Permanent Select Committee on Intelligence who knows his stuff.

All-source intelligence sometimes gets confused with open-source intelligence. I think it is important to know that a huge percentage of all-source intelligence is open-source intelligence and is very valuable in the filters and the proper analysis. So I support the amendment.

Mr. Chairman, I also want to give notice that I am going to put at the proper time a statement of the Speaker of the House in the RECORD in support of this bill.

Ms. HARMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to reiterate my support for this amendment and point out one of the ironies, which is that our committee has been learning much of what it needs to do its oversight from open sources, rather than from the regular channels. I am glad we have open sources. Otherwise, we would have very little information. So that is just another reason why the gentleman's amendment is so useful, and I strongly support it.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SIMMONS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SIMMONS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Connecticut (Mr. SIMMONS) will be postponed.

It is now in order to consider amendment No. 10, printed in House Report 108-561.

AMENDMENT NO. 10 OFFERED BY MR. REYES

Mr. REYES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. REYES:

At the end of title III, insert the following new section:

SEC. 304. REQUIREMENT FOR IMMEDIATE SUBMITTAL OF DOCUMENTS RELATING TO DETAINEES OF THE UNITED STATES.

(a) WITHHOLDING OF 25 PERCENT OF FUNDING FOR CERTAIN PROGRAMS.—25 percent of amounts otherwise available to carry out the functions or duties under the following programs may not be obligated or expended until the date on which all of the documents described in subsection (b) are submitted to the appropriate congressional committees:

(1) The Central Intelligence Agency Program.

(2) The Army Tactical Intelligence and Related Activities Program.

(3) The General Defense Intelligence Program.

(4) The Joint Military Intelligence Program.

(b) DOCUMENTS DESCRIBED.—The documents referred to in subsection (a) are all documents, including reports, correspondence, legal memoranda, and electronic communications related to the handling and treatment of detainees under the custody and control of the United States or individuals held on behalf of the United States in Iraq, Afghanistan, Guantanamo Bay, Cuba, and elsewhere.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means the following:

(1) The Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) The Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

The CHAIRMAN. Pursuant to House Resolution 686, the gentleman from Texas (Mr. REYES) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer an amendment to the Intelligence authorization bill aimed at getting the full story on the prisoner abuse issue at places such as Abu Ghraib and Afghanistan.

The abuses of Iraqi detainees at Abu Ghraib were reprehensible; I think we can all agree on that. Colleagues on both sides of the aisle have agreed on that, particularly after reviewing the now-infamous photos behind closed doors that were made available to us on Capitol Hill.

I am equally disturbed by the indictment of CIA contractor David Passaro, who allegedly assaulted a detainee at a detention facility in Afghanistan. This indictment is yet another sobering reminder that the detainee abuses were not limited to the Abu Ghraib prison.

Make no mistake: interrogations are critical to the war on terrorism. I know that; I respect that. They are one way of generating dots that might lead to the intelligence community, providing information on the next terrorist plot.

But the prisoner abuse issue and the broader issue of our interrogation policy is one that cries out for stronger congressional oversight. Congress has got to get that straight and has got to get the story and understand how interrogations may have gone off track. Anything short of that would be a breach of faith with the American public which expects us to conduct vigorous oversight on issues of importance such as this.

The intelligence community has been trying to get the straight story on Abu Ghraib. We have had five hearings thus far. But, frankly, the witnesses that have appeared before our committee have not been very forthcoming, in my opinion. Nor up until last night has the

Department of Defense been very forthright with key documents for the committee, documents that we have requested, including documents from the Defense Department, which they promised to provide to our committee.

Our sixth hearing was to be an all-day affair, the majority's chosen topic that day: the value of interrogations. While that is a legitimate area of inquiry, it is not what I would call hard-hitting oversight, nor would it have enhanced our understanding of the events that occurred at Abu Ghraib.

My amendment would strengthen oversight in the Intelligence authorization bill. It would hold the executive branch's feet to the fire by fencing a large sum of money until the committee received all the documents related to the handling and the treatment of detainees in Iraq, Afghanistan, Guantanamo Bay, and elsewhere. It is intended to underscore the seriousness of the prisoner abuse issue and the committee's determination to get the straight story. It will take the Department of Defense little time at all to comply with this request from our committee.

I offered this amendment during the committee's consideration of this bill. Although the amendment was defeated on straight party lines, I am pleased to report that yesterday the Department of Defense finally, finally, sent over a large batch of documents on interrogation policy.

It included many of the documents that the Permanent Select Committee on Intelligence was seeking, but not all of them. For example, it did not include the standard operating procedures for Guantanamo Bay which Major General Jeff Miller promised the committee; and it did not include documents related to interrogation policy in Iraq, signed by Lieutenant General Sanchez.

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Nor does it include Brigadier General Karpinski's December 2003 response to the Red Cross.

This authorization bill needs to be stronger on oversight. We need to do our job properly. We should not fall for the administration's selective provision of documents simultaneously released to us and to the media.

The majority's report language called this amendment a petty action masquerading as a good gesture. Petty or not, this amendment and other actions generated pressure that yielded results, which is more than a few hearings have accomplished to date.

I believe that there is more to the interrogation story, like the revelation last week that Secretary Rumsfeld ghosted a detainee at the request of CIA Director Tenet in direct conflict of testimony presented to our Permanent Select Committee on Intelligence.

For this and many other reasons that we have well documented, I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GOSS. Mr. Chairman, I seek time in opposition.

The CHAIRMAN. The gentleman from Florida (Mr. GOSS) is recognized for 10 minutes.

Mr. GOSS. Mr. Chairman, I yield myself such time as I may consume.

This particular amendment was given very careful consideration in the committee, and it was voted down. We will have some reasons, and I am going to yield in a few minutes to the gentleman from Nevada (Mr. GIBBONS), not yet, to explain some of them, as the chairman of our Subcommittee on Human Intelligence, Analysis, and Counterintelligence.

But I think its it is important to note that our committee has really led, I think, very responsibly in the area of oversight. We have had, I believe it is five hearings now; we have something like close to 7,000 pages in seven or eight different categories. We are getting full cooperation. I do not understand exactly why it is there is a feeling that we need to go forward and shut down the money to the people who are carrying the war on terrorism because we feel they we are not getting enough cooperation. If we got much more cooperation, I would not have any staff available to prepare this bill, we have so many documents to work with. So there is no question that the oversight is being done.

I think to say this was a petty gesture posing as a grand gesture or whatever the language was is not off-base. It is unnecessary. I think we hashed this out in our committee, and I am sorry it has come back again. We are doing our job.

Now, before I yield to the gentleman from Nevada (Mr. GIBBONS), I do need to point out that, indeed, I just received the mail, my mail apparently does not come in quite as rapidly, but I too got the letter from Director Tenet; and it appears that Director Tenet is also having a problem with his mail, because he is referring here to language in a draft that is no longer relevant in making a complaint about language that does not exist.

It is true that in our report, and I will be happy to read on page 23 the offending language. The offending language is this: "The CIA must collect against all types of targets needed to gain the insights and the plans and intentions of our adversaries, be they terrorists, political, economic, military in nature. Countering the threat from terrorism is, of course, and should be at the top of the CIA's list of collection priorities, but the Central Intelligence Agency must continue to be much more than just a "central counterterrorism agency" if America is to be truly secure, prosperous, and free.

I do not think anybody disagrees with that. We have weapons of proliferation, we have counternarcotics efforts, we have racketeering, things going on. What we are saying here is what every member of the committee knows, that we have insufficiency of

capability in the intelligence community to do all the tasks we need to protect America from all of the threats that are out there. And I quite agree that that is a matter that we have all expressed concern on, and that is what we have done.

I think for the Director to come back and suggest that there is an unhealthy emphasis on counterterrorism is a stretch; and I think he has had bad staff work, and I hope he takes care of it.

The second thing I would point out in the same letter is something that we have reported on today, and I am quoting: "The damage done by inattention to the clandestine service during the first half of the 1990s cannot be repaired in the blink of an eye."

We all know that. We all know we have an insufficiency problem, and we all understand that we have a threat that is serious and that we are trying to deal with it, and this bill builds back capability to deal with it.

Mr. Chairman, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Chairman, I thank the chairman for yielding me this time.

I rise in strong opposition to the amendment of my good friend, the gentleman from Texas (Mr. REYES), not only for what it says, but for what it does as well.

This amendment would withhold funding to the men and women of the intelligence community at the very time when they are engaged in the global war on terror. Let us be clear, Mr. Chairman, about what this amendment really does. They say it fences, but it really cuts, and I will explain that in a minute, it cuts vital intelligence funding. This is not just another innocuous document request.

This amendment cuts 25 percent of the funding going to our most critical intelligence program until Congress receives all of the documents relating to detainees in Iraq, Afghanistan, Guantanamo Bay, and elsewhere. The amendment does not name which documents; it just says all of the documents. That is as open-ended a question as any request could be, and I dare say that it would be impossible to ever satisfy that request.

What is really happening here is an attempt to play politics with intelligence funding at a time when we are at war. It is stunning to me to see this sort of thing happening. It is not right, and it should not happen. We should not be cutting off the funds for these agencies.

This is not the time to play politics or to be withholding intelligence funding. The ranking member says she is for more intelligence funding, and I believe that; yet she and her colleagues supported this measure in committee. It seems to me that if they were serious about the funding of the war on terrorism, they would not be offering this amendment.

American intelligence collectors and soldiers are under constant fire in Iraq, Afghanistan, and yes, elsewhere; and American civilians are being kidnapped and beheaded in gruesome videotaped ceremonies, and all the while this is happening, the opposition wants to withhold intelligence funding.

Mr. Chairman, the idea that someone is trying to hide documents from Congress or that the administration is stonewalling and is not providing the documents is foolishness. The committee has received excellent cooperation to date from the Defense Department and the CIA. This is just petty politics masquerading, as they say, as a grand gesture.

Here are the facts: earlier this month, the committee made an official request to Secretary Rumsfeld for the documents. That request, which was signed by both the HPSCI chairman and ranking member, is being honored. We have received thousands upon thousands of pages of documents, including the Miller report, the Ryder report, the Taguba report, and the Army's official interrogation manual.

Just yesterday, we received hundreds of pages of documents that included Presidential memos on al Qaeda and Taliban detainees, and internal DOD memoranda and Justice Department legal documents. We are getting the documents as fast as they can be gathered and forwarded to us.

The committee has held five, yes, five full committee meetings thus far on the detainee hearing. Our sixth hearing, the most substantial we have planned for to date, was scheduled for the same day as the Reagan funeral, so we had to reschedule it for July 13, 2004. But that hearing is going forward and will be an all-day affair, with three separate panels and some very senior people to talk to us about the detainee policy and procedures.

Mr. Chairman, we are getting the documents we requested. Let me also add that, as I said before, we have had a total of 63 different hearings on this between the Senate and the House on this issue. I think we are getting excellent cooperation. If we ask much more of these people on this issue, they will not be able to fight the war on terrorism; they will have to be here defending their position on this issue day in and day out.

This amendment is unnecessary, and it would only hurt the brave men and women who are out there trying to protect us.

Mr. Chairman, I ask all Members to oppose this amendment.

Mr. REYES. Mr. Chairman, I yield myself such time as I may consume.

I would remind my colleague that we have provided a specific list of documents that we required that have not been complied with. And as to giving them to us as quickly as they possibly can, how long does it take to have somebody copy the interrogation procedures of Guantanamo Bay and provide them to the committee? It takes

at the most maybe a day, so they have not been forthcoming.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. REYES. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, what is the list the gentleman is referring to? The letter that the gentlewoman from California (Ms. HARMAN) and I have written we have had response to, and we are getting more response. What list is the gentleman referring to, may I ask?

Mr. REYES. Mr. Chairman, we have a comprehensive list of documents that have been put together. I will be glad to furnish it to the chairman.

Mr. GOSS. Mr. Chairman, if the gentleman will yield, is this a list that the committee has taken action on that has not been responded to?

Mr. REYES. Mr. Chairman, this was a list that we compiled of documents that were promised to us through the hearing process.

Mr. GOSS. May I ask who compiled the list? Who signed this request?

Mr. REYES. It was signed by the committee staff based on questions that we had and documents that had been provided.

If I may reclaim my time, Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. DICKS), my good friend and colleague and the former ranking member of this committee.

Mr. DICKS. Mr. Chairman, first of all, I want to rise in support of the Reyes amendment. I wanted to go back to the Rogers amendment just for a second, and I wanted to compliment the ranking member for opposing it.

Mr. Chairman, I served on the committee from 1990 to 1998. There was an understanding at the end of the Cold War, this was during the first Bush administration, that we were going to cut Defense by about 30 percent, 33 percent, but intelligence would be protected and held at about a 10 percent cut. It was believed that everything within this Defense budget should be reduced at that point in time.

So this was the policy laid down by DICK CHENEY and Colin Powell. This created the base for us, and when the new administration came into office in 1993, Jim Woolsey was the head of the CIA, and he felt that they had to make some contribution. But we protected Intelligence. We protected it at the time.

So the gentleman's information, the gentleman from Michigan's information, here is inaccurate; and I think it is too bad, really, that this is in these findings, because we all want to support the intelligence community tonight. But I could not support these findings. I could not ask one single Member of the Democratic Party to support these findings, because they are inaccurate. They are not correct, and they are distorted. Also, I thought we had a rule around here that we are not supposed to disclose intelligence information. I guess percentages do not

count, but saying that the budget was cut a certain percentage, I think, is a mistake, and to acknowledge that publicly is a mistake.

So I just wanted to stand up here tonight and say this: the Reyes amendment is about not getting to the bottom of this. I remember when my good friend, the gentleman from Florida (Mr. Goss), and I were on the committee together. We had every investigation imaginable into the Clinton administration. One could not think up something that we did not investigate. We went along with that, because we felt that doing the investigations was the right thing.

Now, on this one, guys, if we do not get to the bottom of this Guantanamo Bay and Iraqi prison thing, and if we do not insist that we get the information, I will be up here with a resolution of inquiry to demand that these Departments disclose this information.

Mr. GOSS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Chairman, I thank my distinguished friend and colleague for yielding. I guarantee, if the gentleman came up and took a look at the record of what we are doing, have done and are continuing to do, you would be proud that the committee is doing oversight properly.

Now, I would also like, if the gentleman will allow me, to quote from the Director of Central Intelligence a letter.

Mr. DICKS. Mr. Chairman, I want to take back my time. The gentleman has time on his own now, and he can use his own time.

The CHAIRMAN. The gentleman's time has expired. The gentleman from Texas (Mr. REYES) has 1 minute remaining and the gentleman from Florida (Mr. GOSS) has 1½ minutes remaining.

Mr. REYES. Mr. Chairman, who has the right to close?

The CHAIRMAN. The gentleman from Florida has the right to close.

Mr. REYES. Mr. Chairman, I yield 45 seconds to the gentlewoman from California (Ms. HARMAN), the distinguished ranking member.

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding me this time. I strongly support his amendment. I supported it in committee; I support it now.

We have not had full cooperation from the administration. We have not had candid testimony from witnesses. I would not say that this is a petty gesture. I think it is a profound gesture to insist that the oversight prerogative of our committee be respected and that the rule of law always apply to the interrogation of prisoners.

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Mr. REYES. Mr. Chairman, in closing I would like to remind our colleagues that Members on both sides of the aisle were exasperated many, many times

because if we did not ask the right question or just the exact question, we were not provided the information that was requested.

Secondly, how many times have we held hearings and the day or weekend later we open up the newspaper and there is a conflicting story in there about information that we had been provided in the meeting.

So it is about our responsibility to do our oversight, it is about our responsibility to do this job right. I urge all Members to support this amendment.

Mr. Chairman, I yield back my time.

Mr. GOSS. Mr. Chairman, I want to respond just to my good friend the gentleman from Washington (Mr. DICKS) by giving you a statement that we just received from the Director of Central Intelligence. I just saw it. I read it a minute ago. "The damage done by inattention to the clandestine service during the first half of the 1990s cannot be repaired in the blink of an eye. It was severe."

Now, the problem is you want it both ways. You said it was protected. Actually, the administration did a pretty good job of trying to protect the administration. It was the democratically controlled Congress that cut the budget as we have pointed out earlier in this debate.

I will not defend or get involved in the Rogers amendment right now because we are talking about another amendment. But I will hold this up because this is why the problem exists. The promise was broken.

I quote, "Now that that struggle, the Cold War, is over, why is it that our vast intelligence apparatus continues to grow?" Now, that kind of statement just before no votes on supporting the intelligence community happens to have been made by such distinguished Members of the Congress as Senator JOHN KERRY. That was in May of 1997 from the RECORD. I got books full of that stuff. There is no doubt where the RECORD is. The Democratic party did not support the intelligence community.

If I said anything incorrect, I would be very happy to allow my colleague the opportunity on some other time to correct it, because he did not allow me to correct that.

But I will say that I think that we have covered the point that the gentleman from Texas (Mr. REYES) has asked. Is the letter that he is referring to is the letter that was signed only by minority Members? Is that the letter my colleague is referring to?

PREFERENTIAL MOTION OFFERED BY MR. DICKS

Mr. DICKS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DICKS moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes in support of his preferential motion.

Mr. DICKS. Mr. Chairman, I want to take very strong exception to what the chairman of this committee, who I consider to be a personal friend, said to attack the Democrats in this House. And I was the ranking member of this committee for 4 years from 1994 to 1998. And we had bipartisan support for intelligence. And I think this is wrong to try to go back now and say after the Cold War was over, and there were some efforts, and it was first by the Bush administration, to reduce the money for defense. I mean, DICK CHENEY was one of the biggest budget hawks and cutters on defense. He cut the B-2, he tried to get rid of the V-22, the F-15, F-16. One can go right down the list.

Colin Powell was the chairman of the Joint Chiefs. They had what they called the base force which was one-third less than the size of the existing force. And as part of this downsizing, the intelligence community was cut by 10 percent.

That was the policy of the first Bush administration that was inherited by the Clinton administration. And I must say during the years that I was on the committee under Dan Glickman as chairman and Larry Combest and the gentleman from Florida (Mr. GOSS) as chairman, we were able to work on a bipartisan basis. And we supported intelligence. Now, we did not throw money at it. We tried to make sure that we invested wisely. We had to modernize all of our national technical means. But this was done on a bipartisan basis.

I am very sorry to see this breakdown this year, for the first time to see the partisanship enter into this. Because I do not think it is in the best interest of our Congress or our national security, and especially at a time when we are in a war-time situation. But to attack the Democrats, I say to the gentleman from Florida (Mr. GOSS), I think is uncalled for.

Ms. HARMAN. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Ms. HARMAN. Mr. Chairman, I commend his service to the Congress and to the other body when we were both staffers. And I share his heat. I was standing on this floor just half an hour ago or so saying we all got it wrong. Mentioning the fact that starting in the first Bush administration and continuing in the early part of the Clinton administration, unfortunately, we disinvested in some critical parts of our intelligence and defense because we thought the world was safer.

And to see the chairman of this committee, my friend, the gentleman from Florida (Mr. GOSS), distort the record on the floor of the House is really surprising to me, stunning to me. I do not believe we on this side have done that. I think we have fairly shared across many administrations the mistakes that were made.

As my colleague from Florida has pointed out many times, Mr. Chair-

man, what changed at 9/11 was the audience. Then, finally, there was the political will to act in ways that many of us on a bipartisan basis thought were the correct ways way before 9/11. I commend the gentleman from Florida for thinking they were correct before 9/11. But, sadly, four hours of debate is reaching a very sorry end here.

The facts are the facts. The record should be accurate. And we on this side are trying to create an accurate record. And one of the things we have been urging is full funding of counterintelligence in this budget and that counterintelligence, the facts will show, is not fully funded.

Mr. DICKS. Mr. Chairman, I have to use the time. Again, I just want to say that during the time I was on the committee, we tried to do the best we could for the Permanent Select Committee on Intelligence and the intelligence community, we supported it. I am very proud of the record that was achieved, was done on a bipartisan basis. I hope we can go back to that.

I know it is painful when your person is in the White House and you have to defend the administration and you want to fend off all these investigations, I can just tell my colleague this, we investigated everything under the sun when Bill Clinton was at the White House because the majority party insisted on it. Now, when it is their person as President of the United States, they are not so excited about investigations and getting all this information. But I think it is important for the American people that we do get the information, that we do find out about these detainees, and that we do get in information in a timely way.

If they are going to stonewall, then we will have to use other tactics like a resolution of inquiry to get the information from the Department of Defense.

The CHAIRMAN. Does any Member claim time in opposition to the motion?

The gentleman from Florida (Mr. GOSS) is recognized for 5 minutes.

Mr. GOSS. Mr. Chairman, I did not make any comment or hold up this quote from the CONGRESSIONAL RECORD that indicates that Senator KERRY had doubts about intelligence to be combative or confrontational or to be insensitive or to in any way offend my colleagues on the other side.

Obviously, people like the gentleman from Washington (Mr. DICKS) have done a fabulous job over the years on a bipartisan basis. When he was in the majority he did that, and I am certain to say that. My comment is that when there was opposition to intelligence and year after year efforts to cut the intelligence budget, they did come from the Democratic side through the period of the 1990s.

I have the material here. I do not want to bore my colleague with it or embarrass him with it, but vote after vote after vote. If he would like to see it, come on over. If he wants me to

read it into the RECORD, I will read it into the RECORD, however he likes.

The fact is that all the people who knew about intelligence worked together to make it work. And we succeeded. And that was a good thing. We did not succeed well enough.

Now, we can argue all day long and say because it was the Democratic leadership in the House or the Republican leadership in the House or so forth or because it was President Clinton did not care or did care, however you are going to characterize it, we could debate that all day long.

The facts are that the cutting amendments to intelligence came from the Democratic side of the aisle and were supported over the decade of the 1990s by large numbers of Democrats. That is all I am trying to convey.

I thank God for the Democrats who saw the light and supported the Intelligence Community, as I do now, and I see no reason why we cannot continue. I was trying to refer, perhaps in a hurried way, to the CONGRESSIONAL RECORD. As I say, I am happy to share it. I have no bones to pick, and I am not trying to create any kind of a firestorm or throw red meat out to the gentleman from Washington. I do not think this serves any further purpose. I hope he accepts my explanation.

The CHAIRMAN. The question is on the preferential motion by the gentleman from Washington (Mr. DICKS).

The preferential motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. REYES).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. REYES. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. REYES) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment No. 3, as modified, offered by the gentleman from New York (Mr. BOEHLERT), amendment No. 4 offered by the gentleman from Texas (Mr. SAM JOHNSON), amendment No. 5 offered by the gentleman from Michigan (Mr. ROGERS), amendment No. 7 offered by the gentleman from Connecticut (Mr. SHAYS), amendment No. 8 offered by the gentleman from Ohio (Mr. KUCINICH), amendment No. 9 offered by the gentleman from Connecticut (Mr. SIMMONS), and amendment No. 10 offered by the gentleman from Texas (Mr. REYES).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3, AS MODIFIED, OFFERED BY MR. BOEHLERT

The CHAIRMAN. The pending business is the demand for a recorded vote

on the amendment, as modified, offered by the gentleman from New York (Mr. BOEHLERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 335, noes 83, not voting 15, as follows:

[Roll No. 291]

AYES—335

Ackerman	Davis, Jo Ann	Hoyer
Aderholt	Davis, Tom	Hulshof
Akin	Deal (GA)	Hunter
Alexander	DeFazio	Hyde
Andrews	DeGette	Isakson
Baca	DeLay	Issa
Bachus	Diaz-Balart, L.	Istook
Baird	Diaz-Balart, M.	Jefferson
Baker	Dicks	Jenkins
Ballenger	Dingell	John
Barrett (SC)	Dooley (CA)	Johnson (CT)
Bartlett (MD)	Doolittle	Johnson (IL)
Barton (TX)	Doyle	Johnson, E. B.
Bass	Dreier	Johnson, Sam
Beauprez	Duncan	Jones (NC)
Bell	Dunn	Kaptur
Berry	Edwards	Keller
Biggart	Ehlers	Kelly
Bilirakis	Emerson	Kennedy (MN)
Bishop (GA)	Engel	Kennedy (RI)
Bishop (NY)	English	Kildee
Bishop (UT)	Eshoo	Kind
Blackburn	Etheridge	King (IA)
Blunt	Evans	King (NY)
Boehlert	Everett	Kingston
Boehner	Fattah	Kirk
Bonilla	Feeney	Kline
Bonner	Ferguson	Knollenberg
Bono	Flake	Kolbe
Boozman	Foley	LaHood
Boswell	Forbes	Lampson
Boucher	Ford	Langevin
Boyd	Fossella	Lantos
Bradley (NH)	Franks (AZ)	Larsen (WA)
Brady (PA)	Frelinghuysen	Latham
Brady (TX)	Frost	LaTourette
Brown (SC)	Galleghy	Leach
Brown, Corrine	Garrett (NJ)	Lewis (CA)
Brown-Waite,	Gerlach	Lewis (KY)
Ginny	Gibbons	Linder
Burgess	Gilchrest	Lipinski
Burns	Gillmor	LoBiondo
Burr	Gingrey	Lowey
Burton (IN)	Gonzalez	Lucas (KY)
Calvert	Goode	Lucas (OK)
Camp	Goodlatte	Majette
Cannon	Gordon	Manzullo
Cantor	Goss	Marshall
Capito	Granger	Matheson
Cardin	Graves	Matsui
Cardoza	Green (TX)	McCarthy (MO)
Carson (OK)	Green (WI)	McCarthy (NY)
Carter	Greenwood	McCotter
Case	Gutknecht	McCrery
Castle	Hall	McHugh
Chabot	Harman	McInnis
Chandler	Harris	McIntyre
Chocola	Hart	McKeon
Clyburn	Hastings (WA)	McNulty
Coble	Hayes	Meek (FL)
Cole	Hayworth	Menendez
Collins	Hefley	Mica
Cooper	Hensarling	Miller (FL)
Cox	Herger	Miller (MI)
Cramer	Herseth	Miller (NC)
Crane	Hill	Miller, Gary
Crenshaw	Hinojosa	Mollohan
Crowley	Hobson	Moore
Cubin	Hoefel	Moran (KS)
Culberson	Hoekstra	Murphy
Cunningham	Holden	Murtha
Davis (AL)	Holt	Musgrave
Davis (CA)	Hooley (OR)	Myrick
Davis (FL)	Hostettler	Nethercutt
Davis (TN)	Houghton	Neugebauer

Ney	Rogers (MI)	Stupak
Northup	Rohrabacher	Sullivan
Norwood	Ros-Lehtinen	Sweeney
Nunes	Ross	Tancred
Nussle	Rothman	Tanner
Ortiz	Royce	Tauscher
Osborne	Ruppersberger	Taylor (MS)
Ose	Ryan (OH)	Taylor (NC)
Otter	Ryan (WI)	Terry
Oxley	Ryun (KS)	Thomas
Pallone	Sánchez, Linda	Thornberry
Pearce	T.	Tiahrt
Pelosi	Sanchez, Loretta	Tiberi
Pence	Sandlin	Toomey
Peterson (MN)	Saxton	Turner (OH)
Peterson (PA)	Schiff	Turner (TX)
Petri	Schrock	Udall (CO)
Pickering	Scott (GA)	Upton
Pitts	Sensenbrenner	Vitter
Platts	Sessions	Walden (OR)
Pombo	Shadegg	Walsh
Pomeroy	Shaw	Wamp
Porter	Shays	Watson
Portman	Sherwood	Weldon (FL)
Price (NC)	Shimkus	Weldon (PA)
Pryce (OH)	Shuster	Weller
Putnam	Simmons	Wexler
Quinn	Simpson	Whitfield
Radanovich	Skelton	Wicker
Ramstad	Smith (MI)	Wilson (NM)
Regula	Smith (NJ)	Wilson (SC)
Rehberg	Smith (TX)	Wolf
Renzi	Smith (WA)	Wu
Reyes	Snyder	Wynn
Reynolds	Souder	Young (AK)
Rodriguez	Spratt	Young (FL)
Rogers (AL)	Stearns	
Rogers (KY)	Stenholm	

NOES—83

Abercrombie	Kanjorski	Paul
Allen	Kilpatrick	Payne
Baldwin	Klecza	Rahall
Becerra	Kucinich	Roybal-Allard
Berkley	Larson (CT)	Rush
Blumenauer	Lee	Sabo
Brown (OH)	Levin	Sanders
Capps	Lewis (GA)	Schakowsky
Capuano	Lofgren	Scott (VA)
Conyers	Lynch	Serrano
Costello	Maloney	Sherman
Cummings	Markey	Slaughter
Davis (IL)	McCollum	Solis
Delahunt	McGovern	Stark
DeLauro	Meehan	Strickland
Doggett	Meeks (NY)	Thompson (CA)
Emanuel	Michaud	Thompson (MS)
Farr	Millender	Tierney
Filner	McDonald	Towns
Frank (MA)	Miller, George	Udall (NM)
Grijalva	Nadler	Van Hollen
Gutierrez	Napolitano	Velázquez
Hinchey	Neal (MA)	Visclosky
Honda	Oberstar	Waters
Inslee	Obey	Watt
Jackson (IL)	Olver	Waxman
Jackson-Lee	Owens	Woolsey
(TX)	Pascarell	
Jones (OH)	Pastor	

NOT VOTING—15

Bereuter	DeMint	McDermott
Berman	Deutsch	Moran (VA)
Buyer	Gephardt	Rangel
Carson (IN)	Hastings (FL)	Tauzin
Clay	Israel	Weiner

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. KLINE) (during the vote). Members are advised they have 2 minutes remaining in this vote.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair would advise Members to check their votes on the voting board to rule out a potential discrepancy between one of the voting stations and the board.

□ 2055

Mrs. MALONEY, Messrs. NADLER, PASTOR, CONYERS, Ms. KILPATRICK, Mrs. CAPPS, Messrs. JACKSON of Illinois, ALLEN, NEAL of Massachusetts, MICHAUD, Ms. DELAURO, Messrs. THOMPSON of California, LYNCH, BROWN of Ohio, LEVIN, DOGGETT, TOWNS, STRICKLAND, DELAHUNT, LARSON of Connecticut, MEEHAN, INSLEE, Ms. WOOLSEY, Mr. RUSH, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Messrs. VAN HOLLEN, PASCRELL, Ms. SOLIS, Mrs. NAPOLITANO, Messrs. SCOTT of Virginia, RAHALL, EMANUEL, Ms. MILLENDER-MCDONALD, Ms. BERKELEY, and Messrs. DAVIS of Illinois, KANJORSKI and KLECZKA changed their vote from “aye” to “no.”

Messrs. SANDLIN, GRAVES, and BAIRD changed their vote from “no” to “aye.”

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. SAM JOHNSON OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SAM JOHNSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 366, noes 51, not voting 16, as follows:

[Roll No. 292]

AYES—366

Ackerman	Boozman	Coble
Aderholt	Boswell	Cole
Akin	Boucher	Collins
Alexander	Boyd	Cooper
Allen	Bradley (NH)	Costello
Andrews	Brady (PA)	Cox
Baca	Brady (TX)	Cramer
Bachus	Brown (OH)	Crane
Baird	Brown (SC)	Crenshaw
Baker	Brown, Corrine	Crowley
Ballenger	Brown-Waite,	Cubin
Barrett (SC)	Ginny	Culberson
Bartlett (MD)	Burgess	Cunningham
Barton (TX)	Burns	Davis (AL)
Bass	Burr	Davis (CA)
Beauprez	Burton (IN)	Davis (FL)
Becerra	Calvert	Davis (IL)
Bell	Camp	Davis (TN)
Berkley	Cannon	Davis, Jo Ann
Berry	Cantor	Davis, Tom
Biggert	Capito	Deal (GA)
Bilirakis	Capps	DeFazio
Bishop (GA)	Cardin	DeGette
Bishop (NY)	Cardoza	DeLay
Bishop (UT)	Carson (OK)	Diaz-Balart, L.
Blackburn	Carter	Diaz-Balart, M.
Blunt	Case	Dingell
Boehlert	Castle	Dooley (CA)
Boehner	Chabot	Doolittle
Bonilla	Chandler	Doyle
Bonner	Chocola	Dreier
Bono	Clyburn	Duncan

Dunn	Knollenberg	Rehberg	Jones (OH)	McCollum	Solis
Edwards	Kolbe	Renzi	Kanjorski	Millender-	Stark
Ehlers	LaHood	Reyes	Kilpatrick	McDonald	Stupak
Emanuel	Lampson	Reynolds	Klecza	Miller, George	Tauscher
Emerson	Luginin	Rodriguez	Kucinich	Nadler	Thompson (CA)
Engel	Lantos	Rogers (AL)	Larson (CT)	Owens	Tierney
English	Larsen (WA)	Rogers (KY)	Lee	Pastor	Velázquez
Eshoo	Latham	Rogers (MI)	Levin	Payne	Waters
Etheridge	LaTourette	Rohrabacher	Lewis (GA)	Schakowsky	Watson
Evans	Leach	Ros-Lehtinen	Maloney	Scott (VA)	Watt
Everett	Lewis (CA)	Ross	Markey	Serrano	Woolsey
Fattah	Lewis (KY)	Rothman	Matsui	Slaughter	
Feeney	Lipinski	Roybal-Allard			
Ferguson	LoBiondo	Royce			
Flake	Lofgren	Ruppersberger			
Foley	Lowey	Rush			
Forbes	Lucas (KY)	Ryan (OH)			
Ford	Lucas (OK)	Ryan (WI)			
Fossella	Lynch	Ryun (KS)			
Franks (AZ)	Majette	Sabo			
Frelinghuysen	Manzullo	Sánchez, Linda			
Frost	Marshall	T.			
Gallegly	Matheon	Sanchez, Loretta			
Garrett (NJ)	McCarthy (MO)	Sanders			
Gerlach	McCarthy (NY)	Sandlin			
Gibbons	McCotter	Saxton			
Gilchrest	McCrery	Schiff			
Gillmor	McGovern	Schrock			
Gingrey	McHugh	Scott (GA)			
Gonzalez	McInnis	Sensenbrenner			
Goode	McIntyre	Sessions			
Goodlatte	McKeon	Shadegg			
Gordon	McNulty	Shaw			
Goss	Meehan	Shays			
Granger	Meek (FL)	Sherman			
Graves	Meeks (NY)	Sherwood			
Green (TX)	Menendez	Shimkus			
Green (WI)	Mica	Shuster			
Greenwood	Michaud	Simmmons			
Gutierrez	Miller (FL)	Simpson			
Gutknecht	Miller (MI)	Skelton			
Hall	Miller (NC)	Smith (MI)			
Harman	Miller, Gary	Smith (NJ)			
Harris	Mollohan	Smith (TX)			
Hart	Moore	Smith (WA)			
Hastings (WA)	Moran (KS)	Snyder			
Hayes	Murphy	Souder			
Hayworth	Murtha	Spratt			
Hefley	Musgrave	Stearns			
Hensarling	Myrick	Stenholm			
Herger	Napolitano	Strickland			
Herseeth	Neal (MA)	Sullivan			
Hill	Nethercutt	Sweeney			
Hinchey	Neugebauer	Tancredo			
Hinojosa	Ney	Tanner			
Hobson	Northup	Taylor (MS)			
Hoeffel	Norwood	Taylor (NC)			
Hoekstra	Nunes	Terry			
Holden	Nussle	Thomas			
Holt	Oberstar	Thompson (MS)			
Honda	Obey	Thornberry			
Hooley (OR)	Oliver	Tiahrt			
Hostettler	Ortiz	Tiberi			
Houghton	Osborne	Toomey			
Hoyer	Ose	Towns			
Hulshof	Otter	Turner (OH)			
Hunter	Oxley	Turner (TX)			
Hyde	Pallone	Udall (CO)			
Inslee	Pascarell	Udall (NM)			
Isakson	Paul	Upton			
Issa	Pearce	Van Hollen			
Istook	Pelosi	Visclosky			
Jefferson	Pence	Vitter			
Jenkins	Peterson (MN)	Walden (OR)			
John	Peterson (PA)	Walsh			
Johnson (CT)	Petri	Wamp			
Johnson (IL)	Pickering	Waxman			
Johnson, Sam	Pitts	Weldon (FL)			
Jones (NC)	Platts	Weldon (PA)			
Kaptur	Pombo	Weller			
Keller	Pomeroy	Wexler			
Kelly	Porter	Whitfield			
Kennedy (MN)	Portman	Wicker			
Kennedy (RI)	Pryce (OH)	Wilson (NM)			
Kildee	Putnam	Wilson (SC)			
Kind	Quinn	Wolf			
King (IA)	Radanovich	Wu			
King (NY)	Rahall	Wynn			
Kingston	Ramstad	Young (AK)			
Kirk	Regula	Young (FL)			
Kline					

NOES—51

Abercrombie	Delahunt	Frank (MA)
Baldwin	DeLauro	Grijalva
Blumenauer	Dicks	Jackson (IL)
Capuano	Doggett	Jackson-Lee
Conyers	Farr	(TX)
Cummings	Filner	Johnson, E. B.

Deutsch	Moran (VA)
Gephardt	Rangel
Hastings (FL)	Tauzin
Israel	Weiner
Linder	
McDermott	

NOT VOTING—16

Bereuter	Deutsch	Moran (VA)
Berman	Gephardt	Rangel
Buyer	Hastings (FL)	Tauzin
Carson (IN)	Israel	Weiner
Clay	Linder	
DeMint	McDermott	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2103

Mr. PALLONE changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 195, not voting 16, as follows:

[Roll No. 293]

AYES—222

Aderholt	Cantor	Forbes
Akin	Capito	Fossella
Bachus	Carter	Franks (AZ)
Baker	Castle	Frelinghuysen
Ballenger	Chabot	Gallegly
Barrett (SC)	Chocola	Garrett (NJ)
Bartlett (MD)	Coble	Gerlach
Barton (TX)	Cole	Gibbons
Bass	Collins	Gilchrest
Beauprez	Cox	Gillmor
Biggert	Crane	Gingrey
Bilirakis	Crenshaw	Goode
Bishop (UT)	Cubin	Goodlatte
Blackburn	Culberson	Goss
Blunt	Cunningham	Granger
Boehlert	Davis, Jo Ann	Graves
Boehner	Davis, Tom	Green (WI)
Bonilla	Deal (GA)	Greenwood
Bonner	DeLay	Gutknecht
Bono	Diaz-Balart, L.	Hall
Boozman	Diaz-Balart, M.	Harris
Bradley (NH)	Doolittle	Hart
Brady (TX)	Dreier	Hastings (WA)
Brown (SC)	Duncan	Hayes
Brown-Waite,	Dunn	Hayworth
Ginny	Ehlers	Hefley
Burgess	Emerson	Hensarling
Burns	English	Herger
Burr	Everett	Hobson
Burton (IN)	Feeney	Hoekstra
Calvert	Ferguson	Hostettler
Camp	Flake	Houghton
Cannon	Foley	Hulshof

Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick

NOES—195

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (OK)
Case
Chandler
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans

Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)

Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland

Bereuter
Berman
Buyer
Carson (IN)
Clay
DeMint

Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)

NOT VOTING—16

Deutsch
Gephardt
Hastings (FL)
Israel
Kolbe
McDermott
Moran (VA)
Rangel
Tauzin
Weiner

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
Members are advised 2 minutes remain
in this vote.

□ 2110

Mr. WEXLER changed his vote from
“aye to “no.”

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

Stated against:

Mr. MORAN of Virginia. Mr. Chairman, on
rollcall No. 293, I was unavoidably detained off
the Hill. Had I been present, I would have
voted “no.”

AMENDMENT NO. 7 OFFERED BY MR. SHAYS

The CHAIRMAN. The pending busi-
ness is the demand for a recorded vote
on the amendment offered by the gen-
tleman from Connecticut (Mr. SHAYS)
on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has
been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 419, noes 0,
not voting 14, as follows:

[Roll No. 294]

AYES—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn

Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito

Capps
Capuano
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)

Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Issa
Istook
Jackson (IL)

Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klecza
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes

Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher

Taylor (MS)	Udall (CO)	Weldon (FL)
Taylor (NC)	Udall (NM)	Weldon (PA)
Terry	Upton	Weller
Thomas	Van Hollen	Wexler
Thompson (CA)	Velázquez	Whitfield
Thompson (MS)	Visclosky	Wicker
Thornberry	Vitter	Wilson (NM)
Tiahrt	Walden (OR)	Wilson (SC)
Tiberi	Walsh	Wolf
Tierney	Wamp	Woolsey
Toomey	Waters	Wu
Towns	Watson	Wynn
Turner (OH)	Watt	Young (AK)
Turner (TX)	Waxman	Young (FL)

NOT VOTING—14

Bereuter	DeMint	McDermott
Berman	Deutsch	Rangel
Buyer	Gephardt	Tauzin
Carson (IN)	Hastings (FL)	Weiner
Clay	Israel	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2116

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. KUCINICH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 343, noes 76, not voting 14, as follows:

[Roll No. 295]

AYES—343

Abercrombie	Camp	DeGette
Ackerman	Capito	Delahunt
Alexander	Capps	DeLauro
Allen	Capuano	Dicks
Andrews	Cardin	Dingell
Baca	Cardoza	Doggett
Bachus	Carson (OK)	Dooley (CA)
Baldwin	Case	Doyle
Bartlett (MD)	Castle	Dreier
Bass	Chabot	Duncan
Beauprez	Chandler	Dunn
Becerra	Chocola	Edwards
Bell	Clyburn	Ehlers
Berkley	Coble	Emanuel
Berry	Cole	Emerson
Biggert	Conyers	Engel
Bishop (GA)	Cooper	English
Bishop (NY)	Costello	Eshoo
Blumenauer	Cox	Etheridge
Boehlert	Cramer	Evans
Bono	Crane	Farr
Boswell	Crenshaw	Fattah
Boucher	Crowley	Ferguson
Boyd	Cubin	Flner
Bradley (NH)	Cummings	Foley
Brady (PA)	Cunningham	Forbes
Brown (OH)	Davis (AL)	Ford
Brown (SC)	Davis (CA)	Frank (MA)
Brown, Corrine	Davis (FL)	Frelinghuysen
Brown-Waite,	Davis (IL)	Frost
Ginny	Davis (TN)	Galleghy
Burns	Davis, Jo Ann	Gerlach
Burr	Davis, Tom	Gibbons
Burton (IN)	Deal (GA)	Gilchrest
Calvert	DeFazio	Gillmor

Gingrey	Maloney	Ross
Gonzalez	Manzullo	Rothman
Goode	Markey	Roybal-Allard
Goodlatte	Marshall	Royce
Gordon	Matheson	Ruppersberger
Goss	Matsui	Rush
Graves	McCarthy (MO)	Ryan (OH)
Green (TX)	McCarthy (NY)	Sabo
Green (WI)	McCollum	Sánchez, Linda
Greenwood	McCotter	T.
Grijalva	McGovern	Sanchez, Loretta
Gutierrez	McHugh	Sanders
Gutknecht	McInnis	Sandlin
Hall	McIntyre	Saxton
Harman	McNulty	Schakowsky
Harris	Meehan	Schiff
Hayes	Meek (FL)	Scott (GA)
Hayworth	Meeks (NY)	Scott (VA)
Hefley	Menendez	Serrano
Herseeth	Michaud	Sessions
Hill	Millender-	Shays
McDonald		Sherman
Hinchev	Miller (FL)	Shimkus
Hinojosa	Miller (NC)	Shuster
Hobson	Miller, Gary	Simmons
Hoeffel	Miller, George	Simpson
Hoekstra	Mollohan	Skelton
Holden	Moore	Slaughter
Holt	Moran (KS)	Smith (MI)
Honda	Moran (VA)	Smith (NJ)
Hooley (OR)	Murtha	Smith (TX)
Hoyer	Myrick	Smith (WA)
Hulshof	Nadler	Snyder
Inlee	Napolitano	Solis
Isakson	Neal (MA)	Spratt
Issa	Nethercutt	Stark
Istook	Ney	Stearns
Jackson (IL)	Northup	Stenholm
Jackson-Lee	Norwood	Strickland
(TX)	Nunes	Stupak
Jefferson	Nussle	Sullivan
John	Oberstar	Sweeney
Johnson (CT)	Obey	Tanner
Johnson (IL)	Oliver	Tauscher
Johnson, E. B.	Ortiz	Taylor (MS)
Jones (NC)	Osborne	Terry
Jones (OH)	Ose	Thomas
Kanjorski	Otter	Thompson (CA)
Kaptur	Owens	Thompson (MS)
Keller	Pallone	Tiahrt
Kennedy (MN)	Pascarell	Tiberi
Kennedy (RI)	Pastor	Tierney
Kildee	Paul	Toomey
Kilpatrick	Payne	Towns
Kind	Pearce	Turner (OH)
King (IA)	Pelosi	Turner (TX)
Kirk	Pence	Udall (CO)
Klecicka	Peterson (MN)	Udall (NM)
Kline	Peterson (PA)	Upton
Kolbe	Pickering	Van Hollen
Kucinich	Pitts	Velázquez
LaHood	Platts	Visclosky
Lampson	Pombo	Vitter
Langevin	Pomeroy	Walden (OR)
Lantos	Porter	Walsh
Larsen (WA)	Portman	Waters
Larson (CT)	Price (NC)	Watson
Latham	Pryce (OH)	Watt
LaTourette	Quinn	Waxman
Leach	Rahall	Weldon (PA)
Lee	Ramstad	Weller
Levin	Regula	Wexler
Lewis (CA)	Rehberg	Wicker
Lewis (GA)	Renzi	Wilson (NM)
Linder	Reyes	Wolf
Lipinski	Rodriguez	Woolsey
LoBiondo	Rogers (KY)	Wu
Lofgren	Rogers (MI)	Wynn
Lowe	Rohrabacher	Young (AK)
Lucas (KY)	Ros-Lehtinen	Young (FL)
Lynch		
Majette		

NOES—76

Aderholt	Burgess	Granger
Akin	Cannon	Hart
Baird	Cantor	Hastings (WA)
Baker	Carter	Hensarling
Ballenger	Collins	Herger
Barrett (SC)	Culberson	Hostettler
Barton (TX)	DeLay	Houghton
Bilirakis	Diaz-Balart, L.	Hunter
Bishop (UT)	Diaz-Balart, M.	Hyde
Blackburn	Doolittle	Jenkins
Blunt	Everett	Johnson, Sam
Boehner	Feeney	Kelly
Bonilla	Flake	King (NY)
Bonner	Fossella	Kingston
Boozman	Franks (AZ)	Knollenberg
Brady (TX)	Garrett (NJ)	Lewis (KY)

Lucas (OK)	Putnam	Souder
McCrery	Radanovich	Tancred
McKeon	Rogers (AL)	Taylor (NC)
Mica	Ryan (WI)	Thornberry
Miller (MI)	Ryun (KS)	Wamp
Murphy	Schrock	Weldon (FL)
Musgrave	Sensenbrenner	Whitfield
Neugebauer	Shadegg	Wilson (SC)
Oxley	Shaw	
Petri	Sherwood	

NOT VOTING—14

Bereuter	DeMint	McDermott
Berman	Deutsch	Rangel
Buyer	Gephardt	Tauzin
Carson (IN)	Hastings (FL)	Weiner
Clay	Israel	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2123

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. SIMMONS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. SIMMONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 417, noes 1, not voting 15, as follows:

[Roll No. 296]

AYES—417

Ackerman	Brady (PA)	Cubin
Aderholt	Brady (TX)	Culberson
Akin	Brown (OH)	Cummings
Alexander	Brown (SC)	Cunningham
Allen	Brown, Corrine	Davis (AL)
Andrews	Brown-Waite,	Davis (CA)
Ginny		Davis (FL)
Bachus	Burgess	Davis (IL)
Baird	Burns	Davis (TN)
Baker	Burr	Davis, Jo Ann
Baldwin	Burton (IN)	Davis, Tom
Ballenger	Calvert	Deal (GA)
Camp	Barrett (SC)	DeFazio
Bartlett (MD)	Cannon	DeGette
Barton (TX)	Cantor	Delahunt
Bass	Capito	DeLauro
Beauprez	Capps	DeLay
Becerra	Capuano	Diaz-Balart, L.
Bell	Cardin	Diaz-Balart, M.
Berkley	Cardoza	Dicks
Berry	Carson (OK)	Dingell
Biggert	Carter	Doggett
Bilirakis	Case	Dooley (CA)
Bishop (GA)	Castle	Doolittle
Bishop (NY)	Chabot	Doyle
Bishop (UT)	Chandler	Dreier
Blackburn	Chocola	Duncan
Blumenauer	Clyburn	Dunn
Blunt	Coble	Edwards
Boehlert	Cole	Ehlers
Boehner	Collins	Emanuel
Bonilla	Conyers	Emerson
Bonner	Cooper	Engel
Bono	Costello	English
Boozman	Cox	Eshoo
Boswell	Cramer	Etheridge
Boucher	Crane	Evans
Boyd	Crenshaw	Everett
Bradley (NH)	Crowley	Farr

Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslie
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)

Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall

Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeltan
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberti
Tobacco
Tierney
Toomey
Townes
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)

Wilson (SC)
Wolf
Woolsey

Wu
Wynn
Young (AK)

NOES—1
Abercrombie

NOT VOTING—15

Bereuter
Berman
Buyer
Carson (IN)
Clay

DeMint
Deutsch
Gephardt
Hastings (FL)
Israel

McDermott
Rangel
Tauzin
Terry
Weiner

ANNOUNCEMENT BY THE CHAIRMAN
The CHAIRMAN (during the vote).
Members are advised that 2 minutes re-
main in this vote.

□ 2130

So the amendment was agreed to.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. REYES
The CHAIRMAN. The pending busi-
ness is the demand for a recorded vote
on the amendment offered by the gen-
tleman from Texas (Mr. REYES) on
which further proceedings were post-
poned and on which the noes prevailed
by voice vote.

The Clerk will redesignate the
amendment.
The Clerk redesignated the amend-
ment.

RECORDED VOTE
The CHAIRMAN. A recorded vote has
been demanded.
A recorded vote was ordered.
The CHAIRMAN. This will be a 5-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 149, noes 270,
not voting 14, as follows:

[Roll No. 297]

AYES—149

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Becerra
Bell
Berry
Bishop (GA)
Blumenauer
Brady (PA)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Clyburn
Conyers
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLaunt
DeLauro
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green (TX)

Grijalva
Gutierrez
Harman
Hinojosa
Hoeffel
Holt
Honda
Hooley (OR)
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kilpatrick
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larsen (CT)
Lee
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matsui
McCarthy (MO)
McCollum
McGovern
McIntyre
Meehan
Meek (FL)
Meeks (NY)
Menendez

Smith (WA)
Solis
Stark
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berkley
Biggart
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Hyde
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Case
Castle
Chabot
Chandler
Chocoma
Coble
Cole
Collins
Cooper
Costello
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Etheridge
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen

Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters

NOES—270

Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Reynolds
Inslie
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
Marshall
Matheson
McCarthy (NY)
McCotter
McCrery
McHugh
McInnis
McKeon
McNulty
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore

Watson
Watt
Waxman
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberti
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller

Whitfield Wilson (SC) Young (AK)
Wicker Wolf Young (FL)

NOT VOTING—14

Bereuter DeMint McDermott
Berman Deutsch Rangel
Buyer Gephardt Tauzin
Carson (IN) Hastings (FL) Weiner
Clay Israel

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2137

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no other amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 686, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the committee of the whole?

Ms. HARMAN. Mr. Speaker, I demand a revote on the SAM JOHNSON of Texas amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

PARLIAMENTARY INQUIRY

Mr. SAM JOHNSON of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. SAM JOHNSON of Texas. Mr. Speaker, even though our soldiers have been indicted and the President has released all his records, I would like to know if we can compare the votes of those who voted for against those who voted against.

POINT OF ORDER

Mr. FRANK of Massachusetts. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will suspend.

The Chair recognizes the gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Speaker, even though the President has released all his records, I would like to ask, would we be able to compare the votes of those who voted for and those who vote against now?

POINT OF ORDER

Mr. FRANK of Massachusetts. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The Chair could not hear due to another inquiry being made from the Chair's right. The gentleman from Texas may state a parliamentary inquiry.

Mr. SAM JOHNSON of Texas. Mr. Speaker, can we take a look and compare the votes of those who voted for the amendment the first time against those who voted for the amendment the second time?

The SPEAKER pro tempore. Members may take their own cognizance of such matters.

The gentleman from Massachusetts (Mr. FRANK) is recognized on his point of order.

Mr. FRANK of Massachusetts. Mr. Speaker, I withdraw the point of order, because the point of order no longer lies, the phraseology having been withdrawn.

The SPEAKER pro tempore. The Clerk will redesignate the amendment on which a separate vote has been demanded.

The Clerk redesignated the amendment.

The text of the amendment is as follows:

Amendment:

At the end of title III (page 11, after line 8), insert the following new section:

SEC. 304. SENSE OF CONGRESS THAT THE APPREHENSION, DETENTION, AND INTERROGATION OF TERRORISTS ARE FUNDAMENTAL TO THE SUCCESSFUL PROSECUTION OF THE GLOBAL WAR ON TERROR.

(a) FINDINGS.—The Congress finds the following:

(1) Throughout the 1980s and 1990s, the people of the United States were too often brutalized again and again by deadly terrorist violence, as evidenced by the hundreds of American deaths in the Beirut and Lockerbie bombings, the attack on the World Trade Center in 1993, the destruction of the Khobar Towers military barracks, the bombing of the American embassies in Kenya and Tanzania, and the vicious attacks on the USS *Cole* in 2000.

(2) The terrorist violence targeted against the United States became more emboldened after each attack, culminating in the deadly attacks on the World Trade Center and the Pentagon on September 11, 2001, which killed thousands of innocent Americans, including innocent women and children.

(3) Since September 11, 2001, the citizens of the United States have remained the priority target of terrorist violence, with journalists and employees of non-governmental organizations being held hostage, tortured, and decapitated in the name of terror.

(4) Congress has authorized the President to use all necessary and appropriate means to defeat terrorism; and on numerous occasions since September 11, 2001, and throughout the Global War on Terror, the interrogation of detainees has yielded valuable intelligence that has saved the lives of American military personnel and American citizens at home and abroad.

(5) The interrogation of detainees has also provided highly valuable insights into the structure of terrorist organizations, their target selection process, and the identities of key operational and logistical personnel that were previously unknown to the Intelligence Community.

(6) The lawful interrogation of detainees is consistent with the United States Constitution.

(7) The abuses against detainees documented at Abu Ghraib prison in Iraq were deplorable aberrations that were not part of United States policy and were not in keeping with the finest traditions of the United States military and the honorable men and women who serve.

(8) The loss of interrogation-derived information would have a disastrous effect on the Nation's intelligence collection and counterterrorism efforts and would constitute a damaging reversal in the Global War on Terror during this critical time.

(9) The apprehension, detention, and interrogation of terrorists are essential elements to successfully waging the Global War on Terror.

(10) The interrogation of detainees can and should continue by the United States within the bounds of the United States Constitution and the laws of the United States of America.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the apprehension, detention, and interrogation of terrorists are fundamental to the successful prosecution of the Global War on Terror.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. HARMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent to make this a 5-minute vote.

The SPEAKER pro tempore. The Chair cannot entertain that request.

The vote was taken by electronic device, and there were—ayes 304, noes 116, not voting 14, as follows:

[Roll No. 298]

AYES—304

Aderholt	Boswell	Cooper
Akin	Boucher	Cox
Alexander	Boyd	Cramer
Andrews	Bradley (NH)	Crane
Baca	Brady (TX)	Crenshaw
Bachus	Brown (SC)	Crowley
Baird	Brown-Waite,	Cubin
Baker	Ginny	Culberson
Ballenger	Burgess	Cunningham
Barrett (SC)	Burns	Davis (CA)
Bartlett (MD)	Burr	Davis (FL)
Barton (TX)	Burton (IN)	Davis (TN)
Bass	Calvert	Davis, Jo Ann
Beauprez	Camp	Davis, Tom
Bell	Cannon	Deal (GA)
Berry	Cantor	DeFazio
Biggart	Capito	DeLay
Billakis	Cardin	Diaz-Balart, L.
Bishop (GA)	Cardoza	Diaz-Balart, M.
Bishop (NY)	Carson (OK)	Dooley (CA)
Bishop (UT)	Carter	Doolittle
Blackburn	Case	Dreier
Blunt	Castle	Duncan
Boehlt	Chabot	Dunn
Boehner	Chandler	Edwards
Bonilla	Choccola	Ehlers
Bonner	Coble	Emerson
Bono	Cole	Engel
Boozman	Collins	English

Etheridge	LaHood	Reyes
Everett	Lampson	Reynolds
Feeney	Lantos	Rogers (AL)
Ferguson	Larsen (WA)	Rogers (KY)
Flake	Latham	Rogers (MI)
Foley	LaTourette	Rohrabacher
Forbes	Leach	Ros-Lehtinen
Ford	Lewis (CA)	Ross
Franks (AZ)	Lewis (KY)	Rothman
Frelinghuysen	Linder	Royce
Frost	LoBiondo	Ruppersberger
Gallegly	Lowey	Ryan (WI)
Garrett (NJ)	Lucas (KY)	Ryun (KS)
Gerlach	Lucas (OK)	Sanchez, Loretta
Gibbons	Lynch	Sandlin
Gilchrest	Manzullo	Saxton
Gillmor	Marshall	Schiff
Gingrey	Matheson	Schrock
Gonzalez	McCarthy (NY)	Scott (GA)
Goode	McCotter	Sensenbrenner
Goodlatte	McCrery	Sessions
Gordon	McHugh	Shadegg
Goss	McInnis	Shaw
Granger	McIntyre	Shays
Graves	McKeon	Sherman
Green (TX)	McNulty	Sherwood
Green (WI)	Mica	Shimkus
Greenwood	Michaud	Shuster
Gutknecht	Miller (FL)	Simmons
Hall	Miller (MI)	Simpson
Harris	Miller (NC)	Skelton
Hart	Miller, Gary	Smith (MI)
Hastert	Moore	Smith (NJ)
Hastings (WA)	Moran (KS)	Smith (TX)
Hayes	Murphy	Smith (WA)
Hayworth	Musgrave	Snyder
Hefley	Myrick	Souder
Hensarling	Nethercutt	Spratt
Herger	Neugebauer	Stearns
Herseth	Ney	Stenholm
Hill	Northup	Sullivan
Hobson	Norwood	Sweeney
Hoekstra	Nunes	Tancredo
Holden	Nussle	Tanner
Holt	Ortiz	Taylor (MS)
Hooley (OR)	Osborne	Taylor (NC)
Hostettler	Ose	Terry
Houghton	Otter	Thomas
Hulshof	Oxley	Thornberry
Hunter	Pallone	Tiahrt
Hyde	Pascarell	Tiberi
Isakson	Paul	Toomey
Issa	Pearce	Turner (OH)
Istook	Pence	Turner (TX)
Jenkins	Peterson (MN)	Upton
John	Peterson (PA)	Van Hollen
Johnson (CT)	Petri	Vitter
Johnson (IL)	Pickering	Walden (OR)
Johnson, Sam	Pitts	Walsh
Jones (NC)	Platts	Wamp
Keller	Pombo	Weldon (FL)
Kelly	Pomeroy	Weldon (PA)
Kennedy (MN)	Porter	Weller
Kennedy (RI)	Portman	Wexler
Kildee	Price (NC)	Whitfield
Kind	Pryce (OH)	Wicker
King (IA)	Putnam	Wilson (NM)
King (NY)	Quinn	Wilson (SC)
Kingston	Radanovich	Wolf
Kirk	Ramstad	Wu
Kline	Regula	Young (AK)
Knollenberg	Rehberg	Young (FL)
Kolbe	Renzi	

NOES—116

Abercrombie	Doyle	Kaptur
Ackerman	Emanuel	Kilpatrick
Allen	Eshoo	Klecza
Baldwin	Evans	Kucinich
Becerra	Farr	Langevin
Berkley	Fattah	Larson (CT)
Blumenauer	Filner	Lee
Brady (PA)	Frank (MA)	Levin
Brown (OH)	Grijalva	Lewis (GA)
Brown, Corrine	Gutierrez	Lipinski
Capps	Harman	Lofgren
Capuano	Hinchey	Majette
Clyburn	Hinojosa	Maloney
Conyers	Hoeffel	Markey
Costello	Honda	Matsui
Cummings	Hoyer	McCarthy (MO)
Davis (AL)	Inslee	McCollum
Davis (IL)	Jackson (IL)	McGovern
DeGette	Jackson-Lee	Meehan
Delahunt	(TX)	Meek (FL)
DeLauro	Jefferson	Meeks (NY)
Dicks	Johnson, E. B.	Menendez
Dingell	Jones (OH)	Millender
Doggett	Kanjorski	McDonald

Miller, George	Roybal-Allard
Mollohan	Rush
Moran (VA)	Ryan (OH)
Murtha	Sabo
Nadler	Sánchez, Linda
Napolitano	T.
Neal (MA)	Sanders
Oberstar	Schakowsky
Obey	Scott (VA)
Oliver	Serrano
Owens	Slaughter
Pastor	Solis
Payne	Stark
Pelosi	Strickland
Rahall	Stupak
Rodriguez	Tauscher

NOT VOTING—14

Bereuter	DeMint	Israel
Berman	Deutsch	McDermott
Buyer	Fossella	Rangel
Carson (IN)	Gephardt	Tauzin
Clay	Hastings (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2157

Mr. NEY changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. PETERSON OF MINNESOTA

Mr. PETERSON of Minnesota. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PETERSON of Minnesota. I am, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Peterson of Minnesota moves to recommit the bill H.R. 4548 to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendment:

At the end of title I (page 8, after line 4), insert the following new section:

SEC. 105. INCREASE IN AUTHORIZATION OF APPROPRIATIONS TO FULLY FUND THE NATIONAL FOREIGN INTELLIGENCE PROGRAM.

(a) INCREASE.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence and intelligence-related activities of the elements listed in such section for the Contingency Emergency Reserve, as specified in the classified Schedule of Authorizations referred to in section 102, are increased 100 percent, and such classified Schedule of Authorizations is modified accordingly.

(b) USE FOR COUNTERTERRORISM ACTIVITIES OF THE INTELLIGENCE COMMUNITY.—Amounts appropriated pursuant to the increase in au-

thorization of appropriations under subsection (a) may only be used for counterterrorism activities of the intelligence community.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. PETERSON) is recognized for 5 minutes.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Ms. HARMAN), the ranking member of the committee.

Ms. HARMAN. Mr. Speaker, I thank my colleague for yielding me this time.

I want to explain to this House my request for a re-vote on the Johnson of Texas amendment. Like the gentleman from Texas (Mr. SAM JOHNSON), I believe that interrogations within the rule of law are essential to protect American lives. However, clause 7 of his amendment, upon rereading, I think was a bit difficult for many of us. It says, “the abuses were not part of United States policy,” and I think that statement is premature until we review all of the documents and get additional testimony on the matter. That is why I requested another vote.

Mr. PETERSON of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

The motion to recommit includes the 100 percent funding for counterterrorism that we have talked about on this floor probably more than some of my colleagues want to hear about. But we are very concerned about this, and we are offering that again in this motion to recommit.

I want everybody to be clear what is happening here. We kind of put the cart before the horse. Yesterday we passed the Defense appropriation bill, which had the money in it for these items. Today we are doing the authorization. This is not the way we should be doing things. We have the cart before the horse, if you will.

One of the reasons that we are doing this on this side is because we were not really in the loop on these negotiations that took place where they made the deal between the different committees to come up with these amounts. The staff was involved in some of the discussions, but the members were not. We did not get the final thing until about a day before the markup, and during this process, our staff had told the other side that we wanted 100 percent funding for counterterrorism, and it was not in the bill, so we offered this amendment.

□ 2200

And that is the spirit of what we are trying to accomplish here. And folks need to understand that the agencies have come in and asked us for a certain amount of money for counterterrorism. And what is in this bill is about one-third of what was asked for.

Now, to go through the list, for example, there is only 5 percent in this bill for the NRO, 19 percent for NSA, 26 percent for NGA, and 35 percent for the

CIA. So they put the most money into the CIA, but in this bill, it is 11.1 percent less money in 2005 for the CIA than it was in 2004. So that is what is in this bill.

Now, obviously, everybody is going to know we are going to have a supplemental to try to plus that up. But the problem is that these agencies only have the money for the first 3 or 4 months, and we are not going to get that supplemental done until later. And there is going to be a gap. And that is a problem. Because the folks in the country expect us to be focused on terrorism, to put our emphasis on counterterrorism. And we do not think this bill gets us to where it needs to be.

We do not want to be in this position. We try to work these things out. But, frankly, we did not have the opportunity to work it out the way it happened through the committee process. So we are here this evening, asking your support to fund what the agencies say they need so we have 100 percent of the money available for counterterrorism to do what needs to be done to protect the people of this country.

Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. BOSWELL) who has worked with me on this amendment.

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Mr. Speaker, it has been an interesting process. I look over there at people I have a lot of confidence in, the gentleman from Illinois (Mr. LAHOOD) and the gentleman from California (Mr. CUNNINGHAM) and many others, and the gentleman from Florida (Mr. GOSS). There are things that we have said that we really have wanted to do over this process was to plus up the money for counterterrorism, simple as that.

I say to the chairman, I really thought that would go. I realize he did not have a lot of warning, but I did not think it took a lot to do. When we went to the Committee on Rules yesterday, and we made our presentation there, I said clearly, and the ranking member agreed, I did not care who got the name on this thing. It did not make any difference. If the chairman of the Committee on Rules wanted it, we did not care. But we thought for the good of the country we needed to plus-up the counterterrorism.

Because the threat is out there. We are told about it all the time. We think about three major events that are coming up. And I even shared a little bit with one of my grandchildren what I would do if they wanted to go to one of those.

Now, the country is in peril. We got a lot going for us, I do not need to start that argument, but all we wanted to do was to plus-up counterterrorism and make it more viable and make it happen for the safety of this country.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. GOSS) for 5 minutes.

Mr. GOSS. Mr. Speaker, I hope not to use all my time. It is late. We have had a long day. We have a heavy legislative day tomorrow. I simply want to give Members my side of this, the committee's side of this.

We have debated extensively. I guess I will start from the point that we have complaints from the other side of the aisle that we are not spending enough money in intelligence for the war on terrorism is a declaration of success that we have succeeded in getting the message across that we have a war on terrorism that we need it to fund and intelligence is important.

Because last year we lost a lot of Democrats on the authorization bill. And this year I hope we do not lose any. Because I can tell my colleagues about this bill. I rise in opposition to the motion to recommit because the bill takes care of our needs. We do provide for the funding for the war on terrorism. It exceeds the President's February request by 16 percent. It exceeds by hundreds of millions, I cannot tell Members the exact number, but hundreds of millions. It is a lot of money.

The intelligence appropriation for 2004, 2004 does not end until October. Even when you include in the 2004 the supplemental, it is still more. This bill has been coordinated with the House Committee on Armed Services. We have had testimony to that effect today from the gentleman from California (Mr. HUNTER), the chairman, the House Committee on Appropriations; we have had testimony today from the gentleman from California (Chairman Lewis) and from the gentleman from Florida (Chairman YOUNG) of the full committee. Their bills had bipartisan support. And, as we all know, the bill of the gentleman from California (Mr. LEWIS) passed yesterday with strong bipartisan support.

This bill authorizes more funds than the defense appropriations bill, which was voted on yesterday, but not many more. So there is not a bunch of hollow dollars in it. There are a few. But I will say that if you voted yesterday for the appropriation, there is no excuse not to vote for the authorization today.

Now, when I came out here today, I was a little concerned that my biggest problem was going to be selling to some of my colleagues that this is the largest intelligence authorization in history. It is the largest intelligence authorization in history. It is supported by the administration as the right bill, it is coordinated properly. We are prepared to do business with the Senate, which has passed their bill on a unanimous bipartisan vote. I think we have done our job well. And I hope that our colleagues on both sides of the aisle can see that.

Mr. Speaker, I yield to the distinguished Speaker of the House.

Mr. HASTERT. Mr. Speaker, I know the gentleman from Florida has made his case. And before we go to vote on this and then into final passage of this bill, I just wanted to salute the gen-

tleman from Florida. He has many great years of service as chairman of this committee.

This is the last intelligence authorization that the gentleman from Florida will handle. He is retiring at the end of this year. We salute him as a great Member of this body and a great patriot. We thank him for his service.

Mr. GOSS. I thank the Speaker.

I am sufficiently embarrassed to say I very much appreciate that and I am going to sit down. I hope that the applause on the other side of the aisle was for the right reason. And I thank my colleagues, and I urge support of the bill and oppose the motion to recommit.

The SPEAKER pro tempore (Mr. ISAKSON). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. PETERSON of Minnesota. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of final passage.

The vote was taken by electronic device, and there were—yeas 197, nays 224, not voting 13, as follows:

[Roll No. 299]

YEAS—197

Abercrombie	Dingell	Kind
Ackerman	Doggett	Kleccka
Alexander	Dooley (CA)	Kucinich
Allen	Doyle	Lampson
Andrews	Edwards	Langevin
Baca	Emanuel	Lantos
Baird	Engel	Larsen (WA)
Baldwin	Eshoo	Larsen (CT)
Becerra	Etheridge	Lee
Bell	Evans	Levin
Berkley	Farr	Lewis (GA)
Berry	Fattah	Lipinski
Bishop (GA)	Filner	Lofgren
Bishop (NY)	Ford	Lowe
Blumenauer	Frank (MA)	Lucas (KY)
Boswell	Frost	Lynch
Boucher	Gonzalez	Majette
Boyd	Gordon	Maloney
Brady (PA)	Green (TX)	Markey
Brown (OH)	Grijalva	Marshall
Brown, Corrine	Gutierrez	Matheson
Capps	Harman	Matsui
Capuano	Herseth	McCarthy (MO)
Cardin	Hill	McCarthy (NY)
Cardoza	Hinchey	McCollum
Carson (OK)	Hinojosa	McGovern
Case	Hoeffel	McIntyre
Chandler	Holden	McNulty
Clyburn	Holt	Meehan
Conyers	Honda	Meek (FL)
Cooper	Hooley (OR)	Meeks (NY)
Costello	Hoyer	Menendez
Cramer	Inslee	Michaud
Crowley	Jackson (IL)	Millender
Cummings	Jackson-Lee	McDonald
Davis (AL)	(TX)	Miller (NC)
Davis (CA)	Jefferson	Miller, George
Davis (FL)	John	Mollohan
Davis (IL)	Johnson, E. B.	Moore
Davis (TN)	Jones (OH)	Moran (VA)
DeFazio	Kanjorski	Murtha
DeGette	Kaptur	Nadler
Delahunt	Kennedy (RI)	Napolitano
DeLauro	Kildee	Neal (MA)
Dicks	Kilpatrick	Oberstar

Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo

NAYS—224

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggart
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest

Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle

Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schroek
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Soudier
Stearns
Sullivan
Sweeney
Tancred
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—13

Bereuter
Berman
Buyer
Carson (IN)
Clay
DeMint
Deutsch
Gephardt
Hastings (FL)
Israel
McDermott
Rangel
Tauzin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2227

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LAHOOD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 360, noes 61, not voting 13, as follows:

[Roll No. 300]

AYES—360

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Berkley
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Culberson
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLahunt
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Everett
Issa
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)

Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Goss
Granger
Graves
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Evans
Farr
Fattah
Filner
Green (TX)
Grijalva
Holt
Honda
Jackson (IL)

Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Owens
Oxley
Pascrell
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancred
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—61

Abercrombie
Baldwin
Becerra
Blumenauer
Capps
Capuano
Conyers
Davis (IL)
DeLauro
Duncan
Eshoo
Evans
Farr
Fattah
Filner
Green (TX)
Grijalva
Holt
Honda
Jackson (IL)
Jackson-Lee
(TX)
Jones (OH)
Kilpatrick
Klecza
Kucinich
Larson (CT)
Lee
Lewis (GA)
Lofgren
Markey
Matsui
Miller, George
Mollohan
Napolitano
Oberstar
Obey
Olver
Otter
Pallone
Pastor
Paul
Payne
Reyes
Roybal-Allard
Rush
Ryan (OH)
Schakowsky
Serrano
Slaughter
Solis
Stark
Tauscher
Thompson (CA)
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey

NOT VOTING—13

Bereuter
Berman
Buyer
Carson (IN)
Clay
DeMint
Deutsch
Gephardt
Hastings (FL)
Israel
McDermott
Rangel
Tauzin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON) (during the vote). There are 2 minutes remaining in this vote.

□ 2234

Ms. JACKSON-LEE of Texas and Mr. MARKEY changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

A FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2507. An act to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to reauthorize child nutrition programs, and for other purposes.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3800 AND H.R. 4107

Mr. DAVIS of Tennessee. Mr. Speaker, I am currently a cosponsor of H.R. 3800 and H.R. 4107. I ask unanimous consent to be removed as a cosponsor of these bills.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

AUTHORIZING CLERK TO MAKE CHANGES IN ENGROSSMENT OF H.R. 4548, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. GOSS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 4548, just passed, that the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF HOUSE RESOLUTION 691, REGARDING TURNING OVER CONTROL OF IRAQ

Mr. TIAHRT. Mr. Speaker, I ask unanimous consent that it shall be in order at any time to consider House Resolution 691 in the House;

the resolution shall be considered as read for amendment;

the resolution shall be debatable for one hour equally divided and controlled by the majority leader and the minority leader or their designees; and

the previous question shall be considered as ordered on the resolution to final adoption without intervening mo-

tion or demand for division of the question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GERLACH). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

STATEMENT OF SMART SECURITY AND INTELLIGENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, there are few images more glamorous in our popular culture than that of the debonair spy. There is a reason that James Bond movies have been audience favorites for more than 40 years. But this is one case where art does not even come close to imitating life.

There is nothing romantic about the state of America's intelligence. It is a tired, rusty, bureaucratic, multi-headed beast that is letting down the American people. Fifteen different Federal Government agencies are a part of our intelligence apparatus, and that does not even include the ad hoc intelligence team the administration gathered to advance its phantom case that Saddam Hussein had weapons of mass destruction.

Fifteen agencies. That is 15 chains of command, 15 unique institutional cultures, 15 fiefdoms. It is a recipe for disaster, for turf battles, and ego clashes which stand in the way of the most critical work imaginable: Keeping the American people safe.

According to Bob Woodward's book, former CIA Director George Tenet told the President that he had a "slam dunk" case for war. In reality, Tenet could not get the different players on his own team to pass the ball to one another.

Here is what I want to know: If organizing the hodgepodge Department of Homeland Security was so important that people were called unpatriotic for opposing it, then why is it not just as urgent to unite U.S. intelligence under a single umbrella?

Earlier this week, the Permanent Select Committee on Intelligence considered H.R. 4104 introduced by the gentleman from California (Ms. HARMAN), which would have restructured the intelligence community. This bill would have coordinated the 15 intelligence agencies, making them accountable to a single Director of National Intelligence. The bill further integrates the agencies by promoting information sharing and creating incentives for cooperation between them. But the Republicans on the committee shot this bill down.

In the same meeting, the majority rejected an amendment to fully fund counterterrorism intelligence, instead providing only 25 percent of the additional funds that are needed. It is appalling that many of the same folks who were vigilant about keeping a tight lid on intelligence information have offered nothing more than a shrug at the news that Ahmad Chalabi revealed to the Iranians that he had intercepted their secret communication codes. It is unthinkable to me that on the heels of some of the most colossal and embarrassing intelligence failures in American history, the majority is eager to stick with the status quo.

This is a situation that is crying out for reform. We failed to connect the dots that might have enabled us to intercept the 9/11 plot. Our Iraqi intelligence in the run-up to the war was based on mistakes, at best; outright deception, at worst. The administration wants to rewrite the Constitution to say who can marry whom, to give tax breaks to the Americans who need them the least, to read our e-mail and examine our library-borrowing habits, neither of which has anything to do with detaining terrorists, but when faced with a genuine problem, like the state of American intelligence, one that truly endangers the American people, they do not have the will to act.

Mr. Speaker, I am prepared to act. I have introduced H. Con. Res. 392, to create a SMART security platform for the 21st century. SMART stands for Sensible Multilateral American Response to Terrorism. SMART security treats war as an absolute last resort. It fights terrorism with stronger intelligence and multilateral partnerships. It aggressively invests in the development of impoverished nations. It controls the spread of weapons of mass destruction with a renewed commitment to nonproliferation. And to meet every one of its goals, SMART security will rely on a robust, efficient, integrated intelligence community.

Until we get serious about overhauling U.S. intelligence, I fear that that very term, U.S. intelligence, may become an oxymoron.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)